37 Congress
2nd Session

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CORRESPONDENCE.

Mr. Black (*Secretary of State*) *to all the ministers of the United States.*

CIRCULAR.

Department of State,
Washington, February 28, 1861.

Sir: You are, of course, aware that the election of last November resulted in the choice of Mr. Abraham Lincoln; that he was the candidate of the republican or anti-slavery party; that the preceding discussion had been confined almost entirely to topics connected, directly or indirectly, with the subject of negro slavery; that every northern State cast its whole electoral vote (except three in New Jersey) for Mr. Lincoln, while in the whole south the popular sentiment against him was almost absolutely universal. Some of the southern States, immediately after the election, took measures for separating themselves from the Union, and others soon followed their example. Conventions have been called in South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, and those conventions, in all except the last-named State, have passed ordinances declaring their secession from the federal government. A congress, composed of representatives from the six first-named States, has been assembled for some time at Montgomery, Alabama. By this body a provisional constitution has been framed for what it styles the "Confederated States of America."

It is not improbable that persons claiming to represent the States which have thus attempted to throw off their federal obligations will seek a recognition of their independence by the Emperor of Russia. In the event of such an effort being made, you are expected by the President to use such means as may in your judgment be proper and necessary to prevent its success.

The reasons set forth in the President's message at the opening of the present session of Congress, in support of his opinion that the States have no constitutional power to secede from the Union, are still unanswered, and are believed to be unanswerable. The grounds upon which they have attempted to justify the revolutionary act of severing the bonds which connect them with their sister States are regarded as wholly insufficient. This government has not relinquished its constitutional jurisdiction within the territory of those States, and does not desire to do so.

It must be very evident that it is the right of this government to ask of all foreign powers that the latter shall take no steps which may tend to encourage the revolutionary movement of the seceding States, or increase the danger of disaffection in those which still remain loyal. The President feels assured that the government of the Emperor will not do anything in these affairs inconsistent with the friendship which this government has always heretofore experienced from him and his ancestors. If the independence of the "Confederated States" should be acknowledged by the great powers of Europe it would tend to disturb the friendly relations, diplomatic and commercial, now existing between those powers and the United

States. All these are consequences which the court of the Emperor will not fail to see are adverse to the interests of Russia as well as to those of this country.

Your particular knowledge of our political institutions will enable you to explain satisfactorily the causes of our present domestic troubles, and the grounds of the hope still entertained that entire harmony will soon be restored.

I am, sir, respectfully, your obedient servant,

J. S. BLACK.

John Appleton, Esq., *&c., &c., &c.*

The same, *mutatis mutandis*, to W. Preston, Esq., Madrid; E. G. Fair, Esq., Brussels; Theo. S. Fay, Esq., Berne; Jos. A. Wright, Esq., Berlin; J. G. Jones, Esq., Vienna; J. Williams, Esq., Constantinople; Geo. M. Dallas, Esq., London; Chas. J. Faulkner, Esq., Paris; Henry C. Murphy, Esq., Hague.

Mr. Seward (Secretary of State) to all the ministers of the United States.

CIRCULAR.

Department of State,
Washington, March 9, 1861.

Sir: My predecessor, in his despatch, number 10, addressed to you on the 28th of February last, instructed you to use all proper and necessary measures to prevent the success of efforts which may be made by persons claiming to represent those States of this Union in whose name a provisional government has been announced to procure a recognition of their independence by the government of Spain.

I am now instructed by the President of the United States to inform you that, having assumed the administration of the government in pursuance of an unquestioned election and of the directions of the Constitution, he renews the injunction which I have mentioned, and relies upon the exercise of the greatest possible diligence and fidelity on your part to counteract and prevent the designs of those who would invoke foreign intervention to embarrass or overthrow the republic.

When you reflect on the novelty of such designs, their unpatriotic and revolutionary character, and the long train of evils which must follow directly or consequentially from even their partial or temporary success, the President feels assured that you will justly appreciate and cordially approve the caution which prompts this communication.

I transmit herewith a copy of the address pronounced by the President on taking the constitutional oath of office. It sets forth clearly the errors of the misguided partisans who are seeking to dismember the Union, the grounds on which the conduct of those partisans is disallowed, and also the general policy which the government will pursue with a view to the preservation of domestic peace and order, and the maintenance and preservation of the federal Union.

You will lose no time in submitting this address to the Spanish minister for foreign affairs, and in assuring him that the President of the United States entertains a full confidence in the speedy restoration of the harmony and unity of the government by a firm, yet just and liberal bearing, co-operating with the deliberate and loyal action of the American people.

You will truthfully urge upon the Spanish government the consideration that the present disturbances have had their origin only in popular passions, excited under novel circumstances of very transient character, and that while not one person of well-balanced mind has attempted to show that dismemberment of the Union would be permanently conducive to the safety and welfare of even his own State or section, much less of all the States and sections of our country, the people themselves still retain and cherish a profound confidence in our happy Constitution, together with a veneration and affection for it such as no other form of government ever received at the hands of those for whom it was established.

We feel free to assume that it is the general conviction of men, not only here but in all other countries, that this federal Union affords a better system than any other that could be contrived to assure the safety, the peace, the prosperity, the welfare, and the happiness of all the States of which it is composed. The position of these States, and their mining, agricultural, manufacturing, commercial, political, and social relations and influences, seem to make it permanently the interest of all other nations that our present political system shall be unchanged and undisturbed. Any advantage that any foreign nation might derive from a connexion that it might form with any dissatisfied or discontented portion, State, or section, even if not altogether illusory, would be ephemeral, and would be overbalanced by the evils it would suffer from a disseverance of the whole Union, whose manifest policy it must be hereafter, as it has always been heretofore, to maintain peace, liberal commerce, and cordial amity with all other nations, and to favor the establishment of well-ordered government over the whole American continent.

Nor do we think we exaggerate our national importance when we claim that any political disaster that should befall us, and introduce discord or anarchy among the States that have so long constituted one great pacific, prosperous nation, under a form of government which has approved itself to the respect and confidence of mankind, might tend by its influence to disturb and unsettle the existing systems of government in other parts of the world, and arrest that progress of improvement and civilization which marks the era in which we live.

The United States have had too many assurances and manifestations of the friendship and good will of her Catholic Majesty to entertain any doubt that these considerations, and such others as your own large experience of the working of our federal system will suggest, will have their just influence with her, and will prevent her Majesty's government from yielding to solicitations to intervene in any unfriendly way in the domestic concerns of our country. The President regrets that the events going on here may be productive of some possible inconvenience to the people and subjects of Spain; but he is determined that those inconveniences shall be made as light and as transient as possible, and, so far as it may rest with him, that all strangers who may suffer any injury from them shall be amply indemnified. The President expects that you will be prompt in transmitting to this department any information you may receive on the subject of the attempts which have suggested this communication.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

W. Preston, Esq., *Madrid.*

The same, *mutatis mutandis*, to E. G. Fair, Esq., Brussels; Theo. S. Fay, Esq., Berne; Jos. A. Wright, Esq., Berlin; J. G. Jones, Esq., Vienna; J. Williams, Esq., Constantinople; Geo. M. Dallas, Esq., London; Chas. J. Faulkner, Esq., Paris; John Appleton, Esq., St. Petersburg; Henry C. Murphy, Esq., Hague.

Mr. Seward to ministers of the United States in Great Britain, France, Russia, Prussia, Austria, Belgium, Italy, and Denmark.

CIRCULAR.

Department of State,
Washington, April 24, 1861.

Sir: The advocates of benevolence and the believers in human progress, encouraged by the slow though marked meliorations of the barbarities of war which have obtained in modern times, have been, as you are well aware, recently engaged with much assiduity in endeavoring to effect some modifications of the law of nations in regard to the rights of neutrals in maritime war. In the spirit of these movements the President of the United States, in the year 1854, submitted to the several maritime nations two propositions, to which he solicited their assent as permanent principles of international law, which were as follows:

1. Free ships make free goods; that is to say, that the effects or goods belonging to subjects or citizens of a power or State at war are free from capture or confiscation when found on board of neutral vessels, with the exception of articles contraband of war.
2. That the property of neutrals on board an enemy's vessel is not subject to confiscation unless the same be contraband of war.

Several of the governments to which these propositions were submitted expressed their willingness to accept them, while some others, which were in a state of war, intimated a desire to defer acting thereon until the return of peace should present what they thought would be a more auspicious season for such interesting negotiations.

On the 16th of April, 1856, a congress was in session at Paris. It consisted of several maritime powers, represented by their plenipotentiaries, namely, Great Britain, Austria, France, Russia, Prussia, Sardinia, and Turkey. That congress having taken up the general subject to which allusion has already been made in this letter, on the day before mentioned, came to an agreement, which they adopted in the form of a declaration, to the effect following, namely:

1. Privateering is and remains abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective; that is to say, maintained by forces sufficient really to prevent access to the coast of the enemy.

The agreement pledged the parties constituting the congress to bring the declaration thus made to the knowledge of the States which had not been represented in that body, and to invite them to accede to it. The congress, however, at the same time insisted, in the first place, that the declaration should be binding only on the powers who were or should become parties to it as one whole and indivisible compact; and, secondly, that the parties who had agreed, and those who should afterwards accede to it, should, after the adoption of the same, enter into no arrangement on the application of maritime law in time of war without stipulating for a strict observance of the four points resolved by the declaration.

The declaration which I have thus substantially recited of course prevented all the powers which became parties to it from accepting the two propositions which had been before submitted to the maritime nations by the President of the United States.

The declaration was, in due time, submitted by the governments represented in the congress at Paris to the government of the United States.

The President, about the 14th of July, 1856, made known to the States concerned his unwillingness to accede to the declaration. In making that announcement on behalf of this government, my predecessor, Mr. Marcy, called the attention of those States to the following points, namely:

1st. That the second and third propositions contained in the Paris declaration are substantially the same with the two propositions which had before been submitted to the maritime States by the President.

2d. That the Paris declaration, with the conditions annexed, was inadmissible by the United States in three respects, namely: 1st. That the government of the United States could not give its assent to the first proposition contained in the declaration, namely, that "Privateering is and remains abolished," although it was willing to accept it with an amendment which should exempt the private property of individuals, though belonging to belligerent States, from seizure or confiscation by national vessels in maritime war. 2d. That for this reason the stipulation annexed to the declaration, viz: that the propositions must be taken altogether or rejected altogether, without modification, could not be allowed. 3d. That the fourth condition annexed to the declaration, which provided that the parties acceding to it should enter into no negotiation for any modifications of the law of maritime war with nations which should not contain the four points contained in the Paris declaration, seemed inconsistent with a proper regard to the national sovereignty of the United States.

On the 29th of July, 1856, Mr. Mason, then minister of the United States at Paris, was instructed by the President to propose to the government of France to enter into an arrangement for its adherence, with the United States, to the four principles of the declaration of the congress of Paris, provided the first of them should be amended as specified in Mr. Marcy's note to the Count de Sartiges on the 28th of July, 1856. Mr. Mason accordingly brought the subject to the notice of the imperial government of France, which was disposed to entertain the matter favorably, but which failed to communicate its decision on the subject to him. Similar instructions regarding the matter were addressed by this department to Mr. Dallas, our minister at London, on the 31st day of January, 1857; but the proposition above referred to had not been directly presented to the British government by him when the administration of this government by Franklin Pierce, during whose term these proceedings occurred, came to an end, on the 3d of March, 1857, and was succeeded by that of James Buchanan, who directed the negotiations to be arrested for the purpose of enabling him to examine the questions involved, and they have ever since remained in that state of suspension.

The President of the United States has now taken the subject into consideration, and he is prepared to communicate his views upon it, with a disposition to bring the negotiation to a speedy and satisfactory conclusion.

For that purpose you are hereby instructed to seek an early opportunity to call the attention of her Majesty's government to the subject, and to ascertain whether it is disposed to enter into negotiations for the accession of the government of the United States to the declaration of the Paris congress, with the conditions annexed by that body to the same; and if you shall find that government so disposed, you will then enter into a convention to that effect, substantially in the form of a project for that purpose herewith transmitted to you; the convention to take effect from the time when the due ratifications of the same shall have been exchanged. It is presumed that you will need no special explanation of the sentiments of the President on this subject for the purpose of conducting the necessary conferences with the government to which you are accredited. Its assent is expected on the ground that the proposition is accepted at its suggestion, and in the form it has preferred. For your own information it will be sufficient to say that the President adheres to the opinion expressed by my predecessor, Mr. Marcy, that it would be eminently desirable for the good of all nations that the property and effects of private individuals, not contraband, should be exempt from seizure and confiscation by national vessels in maritime war. If the time and circumstances were propitious to a prosecution of the negotiation with that object in view, he would direct that it should be assiduously pursued. But the right season seems to have passed, at least for the present. Europe seems once more on the verge of quite general wars. On the other hand, a portion of the American people have raised the standard of insurrection, and proclaimed a provisional government, and, through their organs, have taken the bad resolution to invite privateers to prey upon the peaceful commerce of the United States.

Prudence and humanity combine in persuading the President, under the circumstances, that it is wise to secure the lesser geod offered by the Paris congress, without waiting indefinitely in hope to obtain the greater one offered to the maritime nations by the President of the United States.

I am, sir, respectfully, your obedient servant.

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

The same, *mutatis mutandis*, to the ministers of the United States in France, Russia, Prussia, Austria, Belgium, Italy, and Denmark.

Convention upon the subject of the rights of belligerents and neutrals in time of war, between the United States of America and her Majesty the Queen of Great Britain and Ireland.

The United States of America and her Majesty the Queen of Great Britain and Ireland, being equally animated by a desire to define with more precision the rights of belligerent and neutrals in time of war, have, for that purpose, conferred full powers, the President of the United States upon Charles F. Adams, accredited as their envoy extraordinary and minister plenipotentiary to her said Majesty, and her Majesty the Queen of Great Britian and Ireland, upon

And the said plenipotentiaries, after having exchanged their full powers, have concluded the following articles :

ARTICLE I.

1. Privateering is and remains abolished.. 2. The neutral flag covers enemy's goods, with the exception of contraband of war. 3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag. 4. Blockades in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

ARTICLE II.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate, and by her Majesty the Queen of Great Britain and Ireland, and the ratifications shall be exchanged at Washington, within the space of six months from the signature, or sooner if possible. In faith whereof, the respective plenipotentiaries have signed the present convention in duplicate, and have thereto affixed their seals.

Done at London, the day of , in the year of our Lord, one thousand eight hundred and sixty-one (1861.)

PRUSSIA.

Mr. Seward to Mr. Judd.

[Extract.]

No. 1.]

Department of State,
Washington, March 22, 1861.

Sir: Contrary to what usually happens in giving instructions to a minister going abroad, I am directed by the President to ask you to fix your attention in the first instance, and to keep it constantly fixed, on the actual condition of affairs at home. I allude, of course, to the unlawful and unconstitutional attempt which is being made to detach several of the States from the federal Union, and to organize them as an independent republic under the name of the "Confederate States of America."

You are well aware of what you will find Europeans unable to understand, namely, that owing to the very peculiar structure of our federal government, and the equally singular character and habits of the American people, this government not only wisely but necessarily hesitates to resort to coercion and compulsion to secure a return of the disaffected portion of the people to their customary allegiance. The Union was formed upon popular consent and must always practically stand on the same basis. The temporary causes of alienation must pass away; there must needs be disasters and disappointments resulting from the exercise of unlawful authority by the revolutionists, while happily it is certain that there is a general and profound sentiment of loyalty pervading the public mind throughout the United States. While it is the intention of the President to maintain the sovereignty and rightful authority of the Union everywhere with firmness as well as discretion, he at the same time relies with great confidence on the salutary working of the agencies I have mentioned, to restore the harmony and Union of the States. But to this end it is of the greatest importance that the disaffected States shall not succeed in obtaining favor or recognition from foreign nations.

It is understood that the so-called Confederate States of America have sent, or are about to send, agents to solicit such recognition in Europe, although there is no special reason for supposing Prussia to be one of the nations to which application will be made. An almost electric political connexion, however, exists between the several capitals of western Europe, and therefore your most efficient and unfailing efforts must be put forth directly, and even indirectly, to prevent the success of that ill-starred design.

This matter was deemed so important by the late administration that my predecessor, on the 28th of February last, made it a subject of a circular despatch, of which an original part was transmitted by him to Mr. Wright, who proceeded you in your mission.

The present administration entertain the same general view of the subject which in that despatch was taken by Mr. Buchanan. Accordingly, on the 9th day of March instant, I sent to our representatives abroad a new circular letter in which I reiterated and amplified the instructions which had thus been given to them by Mr. Black. Although that circular will be found in the archives of your legation, yet for your greater convenience I append a copy of it to this communication.

This department has little more to add to that paper when it is read, as it ought to be, in connexion with the President's inaugural address, on which it rests for its basis.

It may, however, be well to call your attention to the fact that in that communication, as in this, I have forborne altogether from discussing the groundless complaints and pretexts which have been put forth by the organs of disunion to justify the rash and perilous revolution which they are attempting to inaugurate. I have practiced this reticence not because the point is unimportant, but because the dispute is purely a domestic one, and the President would not willingly have the archives of our legations bear testimony to so un-American a proceeding as an acknowledgment, even by indirection, that this government ever consented to join issue upon a purely family matter of this kind with a portion of our own citizens before a foreign tribunal. Nevertheless, should you find that any weight is given to those complaints and pretexts in the court to which you are accredited, your perfect knowledge of all the transactions involved, will, I am sure, enable you to meet them conclusively and satisfactorily without precise instructions on that point.

You will not take up any subject of controversy or debate that may arise between the governments of Prussia and the United States, without first communicating the matter to this department, and you will practice the same forbearance on any subject of controversy which your predecessor may have left for your attention. These instructions are given you because it is our first and most earnest desire and expectation that you will avoid all possible forms of offence or irritation, and will, on the other hand, endeavor to establish the most friendly and cordial relations with the government of the King of Prussia. With this view you will assure his Majesty that the President and people of the United States entertain sentiments of the highest respect and sincere good will for his Majesty and the people of Prussia.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Norman B. Judd, Esq , *&c., &c., &c.*

Mr. Wright to Mr. Seward.

[Extract.]

No. 173.]

United States Legation,
Berlin, May 8, 1861.

Sir: I have, since my return, had a long interview with Baron Von Schleinitz, the minister for foreign affairs, who, whilst he expressed the earnest sympathy of his government with the American people in their present troubles, not only because of the effect of such disturbances upon the commerce of Europe, but also on account of the intimate relations between the two countries, owing to the presence of a large German population in the United States, gave me the most positive assurance that his government, from the principle of unrelenting opposition to all revolutionary movements, would be one of the last to recognize any *de facto* government of the disaffected States of the American Union.

The news of to-day has exerted the most unhappy influence upon the Americans here, and the universal sentiment is a profound desire and a hope for the restoration of peace in the United States. * * *

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I have the honor to be, most respectfully, your very obedient servant,

JOSEPH A. WRIGHT.

His Excellency Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Wright to Mr. Seward.

[Extract.]

No. 174.]

United States Legation,
Berlin, May 15, 1861.

Sir:

* * * * * *

The proclamation of the President was received by the previous mail, and the subject has received due consideration.

On receipt of your circular dated the 20th of April, I immediately called upon Baron de Schleinitz, minister of foreign affairs, who had received the proclamation of the President, and he at once promptly informed me that, in his opinion, no apprehension need be entertained as to Prussian subjects engaging under the authority of the so-called Confederate States in fitting out privateers, or in any manner interfering with our commerce. Prussia has but few ports. Hers is not a sea-faring people, and the sympathies of the government and of the people are with the United States. Whatever danger may be apprehended on this subject must come from Bremen, Hamburg, and other ports situated in Oldenburg, Hanover, &c. Due vigilance will be used to prevent any such unlawful interference, and if any such be detected the proper authorities will be promptly advised thereof, and every effort will be made to suppress it. Not knowing whether your circular has been sent to the consuls, I have forwarded copies to several already.

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I have the honor to be, very respectfully, your obedient servant,

JOSEPH A. WRIGHT.

His Excellency Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Wright to Mr. Seward.

[Extract.]

No. 175.]

United States Legation,
Berlin, May 26, 1861.

Sir:

* * * * * *

Enclosed is a copy of a recent communication to the minister of foreign affairs. Prussia will take efficient steps to sustain the government of the

United States in the protection of property and commerce, and will do all she can, consistently with her obligations to other governments, to sustain the vigorous action of our government in maintaining law and order.

The minister of foreign affairs, Baron Von Schleinitz, informed me on yesterday that it was the intention of the government to issue a proclamation touching these questions.

The government and people are, in spirit and feeling, with us. I am in the receipt of hundreds of letters and personal calls seeking positions in the American army, and asking for means of conveyance to our shores. So numerous, indeed, are the applications, that I have been compelled to place on the doors of the legation a notice to the purport that "This is the legation of the United States, and not a recruiting office." The fidelity and firmness exhibited with such unanimity by our own people in sustaining the administration in their efforts to put down the outrages of the so-called "Confederate States," whilst it astonishes the people of the old world, is at the same time rapidly creating a sentiment of confidence in our ability to maintain unimpaired the institutions of our fathers.

Let the cost be what it may, we must vindicate the memory of our fathers from the slanders announced by those in high places in the so-called "Confederate States," wherein they have proclaimed ours is only a confederation of States, and not a national union.

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I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

His Excellency Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Wright to Mr. Seward.

[Extracts.]

No. 176.]

United States Legation,
Berlin, June 8, 1861.

Sir: Although the Prussian government has not issued a proclamation upon the subject referred to in my last despatch, I still continue to receive from the minister of foreign affairs the strongest assurances of the sympathies and friendship of this government. * * * *

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Your circular of the 6th of May has been received, but the subject had been duly considered previously thereto. No opportunity will be neglected to counteract any efforts that may be made by individuals or associations in negotiations hostile to the United States.

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I have the honor to be, most respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. William H. Seward,
Secretary of State, Washington, D C.

Mr. Wright to Mr. Seward.

[Extract.]

No. 178.]

United States Legation,
Berlin, June 25, 1861.

Sir:

*   *   *   *   *   *

I have received this moment a copy of the *National Zeitung*, containing the despatch of Baron Schleinitz to Baron Gerolt; and also an order from the minister of commerce, addressed to Prussian subjects engaged in trade and commerce. This is not what I had expected. I was anticipating a proclamation from the King more full and distinct. This will doubtless have the desired effect, as it will be published in all the German journals, and coming from Prussia will be duly respected by the German States and Free Cities. Their sympathy and spirit is with the United States government.

Mr. Judd is expected on the 27th instant.

I have the honor to be, very respectfully, your obedient servant,

JOSEPH A. WRIGHT.

Hon. William H. Seward,
Secretary of State, Washington City.

Baron Schleinitz to Baron Gerolt.

[Translation.]

Berlin, *June* 13, 1861.

The various herewith enclosed statements, by which your excellency has given me a knowledge of the occurrences through which the internal tranquillity of the Union is disturbed, have called forth my serious consideration. The hope which, until now, we so willingly entertained, that the inchoate conflict between the government of the United States and sundry of the southern States of the Union would be brought to an amicable settlement, is now, unhappily, in view of existing conditions, borne back to a far distance.

The indubitable fact of the state of the intestine warfare in which the Union is placed is a source of deep regret to the King's government. The relations of close friendship which connect Prussia and the government of the United States exist from the foundation of the Union. They have endured nearly a hundred years; never at any time disturbed by change of circumstances, nor in any wise impaired.

By a series of treaties, by means of which the improvement of the interests of manufacture and commerce on either side has been eminently developed, the intimate relations between the two States have attained a prosperous durability. At no time, between these two powers, has any collision of antagonistic interests found a foothold. The soaring flight which the internal prosperity of the Union has taken, extending its range from year to year by means of the bond of unity of the States thus knit together, the commanding attitude which North America has attained, abroad, has been looked upon by Prussia not merely with no dissatisfaction but has rather been greeted by her with honest sympathy.

The more earnestly, then, do we regret that the continuance of so prosperous a condition of things should appear to be placed in question by the inchoate disturbance of that internal unity, the unshaken existence of which had, until this time, formed the surest foundation of the Union. It behooves not the royal government either to discuss the causes of existing controversies or to pass judgment upon those debatable questions which belong entirely to the domestic relations of the Union. Our whole endeavor in this matter must be addressed to sustaining the United States in their heretofore existing relations with us, even under the difficult circumstances of the present time.

Nevertheless, by the serious turn which the conflict that has broken out has already taken, and by the consequent self-reliant mode of proceeding of the government of the United States in relation to blockades, and the treatment of neutral navigation, essential and important interests on this side are also affected, and the royal government has taken into earnest consideration the protection thereof on grounds of international law and in conformity with treaty stipulations.

Your excellency has full knowledge of the negotiations which, through a series of years, were carried on between Prussia and the United States, upon the principles which ought to be brought into application in naval warfare in relation to the rights of neutral shipping. It is to the credit of the North American Cabinet that, in the year 1854, it availed itself of the plan of a treaty, proposed with us, to be first to take the initiative for putting the rights above mentioned in liberal and practical shape upon a broader foundation of well settled principles. We then willingly acceded to the North American proposition, and although the negotiations conducted by your excellency were closed without attaining the desired result, because a stand was then taken against that abolition of privateering which was suggested by us, it has, meantime, nevertheless, so fallen out that the general united desire to establish the recognition of the rights of neutral shipping during maritime warfare upon more extended and unassailable foundations has attracted, in praiseworthy degree, the attention of the great powers of Europe. The declaration upon maritime rights by the Paris convention, on the 16th April, 1856, stands in evidence of this. The collective States of Europe; with the exception of Spain only, gave their adhesion thereto. But the United States of North America, in regard to the first principle concerning the abolition of privateering, to our regret, thought proper to qualify their assent to the Paris declaration, if we do not misapprehend the liberal and well-intentioned views by which that cabinet was guided in the matter. These were made known in the proposition of President Pierce upon the subject, according to which the principle that private property on the seas should be altogether inviolable, should be included among the provisions of the law of nations. It is to be regretted that the President did not succeed in giving effect to his proposition. The estimation with which we regarded his course is sufficiently known to your excellency.

By reason of the consequently prevailing doubts about the treatment to which neutral shipping may be subjected during the condition of things there connected with an incipient state of war, I must request your excellency will please to make this interesting question the subject of a friendly and unreserved conference with the Secretary of State of that country.

It would certainly be most desirable to us that the government of the United States might embrace this occasion to announce their adhesion to the Paris declaration. Should this not be attained, then, for the present, we would urge that an exposition might be made, to be obligatory during the now commencing intestine war, in regard to the application generally of the second and third principles of the Paris declaration to neutral shipping. The provision of the second principle, that the neutral flag covers the enemy's cargo, (with exception of contraband of war,) is already assured to Prussian shipping by our treaty with the United States of May 1, 1828, again adopting article twelve of the treaty of September 10, 1785.

We lay much stress upon this toward bringing round a determination to make application of this principle at the present time to neutral shipping generally and universally. We doubt this the less because, according to a despatch from the then President, addressed by the Secretary of State, L. Cass, under date of June 27, 1859, to the minister of the United States in Paris, and also communicated to us, without further referring to the Paris declaration, it is expressly mentioned that the principle that the neutral flag covers the enemy's cargo (contraband of war excepted) would be reduced to application in respect to the shipping of the United States always, and in its full extent.

The import of the third principle, by which neutral private property under an enemy's flag (except contraband of war) is inviolable, becomes, in respect of its immediate recognition by the United States, a stringent necessity to the neutral powers.

Let there be a doubt of the application of this principle, and the business enterprises of neutral States are exposed to inevitable shocks, and collisions of every conceivable kind are to be dreaded. To provide for the avoidance of these in due season, *we* must at least anxiously desire.

It would minister greatly to my satisfaction if your excellency, as soon as may be, could officially inform me that the overtures and propositions which you are commissioned to make to the administration have found a favorable reception.

SCHLEINITZ.

His Excellency Baron Von Gerolt, *&c., &c., &c., Washington.*

[Translation.]

On the same subject the minister of commerce issued the notification annexed to the mercantile classes in the Baltic ports:

It is my duty to make known to you that during the continuance of the conflict which has broken out among the North American States the mercantile classes must abstain from all enterprises which are forbidden by the general principles of international law, and especially by the ordinance of the 12th of June, 1856, which has relation to the declaration of the 12th of April, 1856, upon the principles of maritime law. Moreover, I will not omit to make it especially noticeable by you that the royal government will not permit to its shipping or its subjects, which may mix up in these conflicts by taking letters of marque, sharing in privateering enterprises, carrying merchandise contraband of war, or forwarding despatches, to have the benefit of its protection against any losses which may befall them through such transactions.

The equipment of privateers in the ports of this country is forbidden by the laws of the land, as is known to the mercantile community.

Mr. Seward to Baron Gerolt.

DEPARTMENT OF STATE,
Washington, July 16, 1861.

The undersigned, Secretary of State of the United States, has the honor of acknowledging the receipt of a copy of a letter of instruction, under the date of the 13th of June, from Baron Schleinitz, the minister of foreign affairs of his Majesty the King of Prussia, to Baron Gerolt, his Majesty's envoy extraordinary and minister plenipotentiary to the United States, which Baron Gerolt has submitted for perusal to the undersigned.

Baron Gerolt, in pursuance of this instruction, has referred to doubts said to prevail in Europe about the treatment to which neutral shipping may be subjected during the continuance of the internal disturbance now existing in the United States, and has requested from the undersigned an explanation of the views of this government thereupon.

Baron Schleinitz, in this communication, has remarked that it would certainly be most desirable for Prussia that this government should embrace this occasion to announce its adhesion to the celebrated declaration of Paris. But that if this could not be attained, then, for the present, the government of Prussia would urge that an exposition might be made to be obligatory during the present intestine disturbances in the United States, in regard to the application generally of the second and third principles of the Paris declaration to neutral shipping.

The second principle of the Paris declaration is, that the neutral flag covers the enemy's goods, not contraband of war.

The third principle is, that the goods, not contraband of war, of a neutral found on board an enemy's vessel are exempt from confiscation.

The undersigned has the pleasure of informing Baron Gerolt, by authority of the President of the United States, that the government cheerfully declares its assent to these principles in the present case, and to continue until the insurrection which now unhappily exists in the United States shall have come to an end, and they will be fully observed by this government in its relations with Prussia.

But the undersigned would be doing injustice to this government if he should omit to add, by way of explanation, that so long ago as the 24th of April last he transmitted ample instructions and powers to Mr. Judd, the then newly appointed Minister of the United States to Berlin, authorizing him to enter into a treaty (subject to the consent of the Senate of the United States) with the kingdom of Prussia for the adhesion of this government to the declaration of the congress at Paris. Similar instructions and powers were given to all the ministers appointed to conduct diplomatic intercourse with all existing maritime powers. This government in these instructions declared its continued desire and preference for the amendment of the Paris declaration proposed by this government in 1856, to the effect that the private or individual property of non-combatants, whether belonging to belligerent States or not, should be exempted from confiscation in maritime war. But recurring to the previous failure to secure the adoption of that amendment, this government instructed its ministers, if they should find it necessary, to waive it for the present, and to negotiate our adhesion to the declaration pure and simple.

The delay of Mr. Judd in his departure for Berlin is probably the cause why this proposition was not made by him to the Prussian government previous to the date of the instruction given by Baron Schleinitz to Baron Gerolt, which formed the occasion of the present note.

This government having thus practically anticipated the wishes of the Prussian government, the undersigned has, of course, been the more at liberty to accede to those wishes in the more limited extent in which they are expressed by Baron Schleinitz.

The undersigned at the same time holds himself none the less bound to proceed with a view to a more ample and more formal establishment of the benign principles of maritime war in regard to neutral commerce as indicated in the instructions given to Mr. Judd.

Of course the undersigned will be understood as not qualifying or modifying by this communication the right of the United States to close any of the national ports which have already fallen or which may fall into the hands of the insurgents, either directly or in the lenient and equitable form of the blockade which is now in full force.

The undersigned cannot close this communication without expressing to Baron Gerolt the great satisfaction with which this government has learned, through the communication now acknowledged, that his Majesty the King of Prussia faithfully adheres to the existing treaties between the two countries, and fulfils, without question or reservation, all their obligations. This announcement is accompanied by assurances of good feeling and good will that will not fail, under the peculiar circumstances of the times, to make a deep and lasting impression on the government and the people of the United States, and to perpetuate the friendship that for near a century has existed between the two countries to the great advantage and lasting honor of both.

Baron Gerolt may be assured that the government and the people of the United States have deliberately and carefully surveyed the unhappy disturbance of their social condition which has caused so much anxiety to all friendly commercial nations, and have adopted the necessary means for its speedy and complete removal, so that they expect to be able to prosecute their accustomed career of enterprise, and, while fulfilling all the national obligations, to co-operate with enlightened nations engaged, like Prussia, in enlarging and increasing the sway of commerce, and in promoting and advancing the high interests of civilization and humanity.

The undersigned offers to Baron Gerolt renewed assurances of his high consideration.

WILLIAM H. SEWARD.

BARON FR. GEROLT, *&c., &c., &c.,*
Washington.

Baron Gerolt to Mr. Seward.

[Translation.]

LEGATION OF PRUSSIA,
Washington, July 17, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of his Majesty the King of Prussia, has had the honor to receive the note of the honorable Mr. Seward, Secretary of the United States, in reply to the instructions which Baron de Schleinitz, minister of foreign affairs at Berlin, transmitted to the undersigned to be communicated to the honorable Secretary of State of the United States.

The undersigned cannot but felicitate himself on the declaration made in this note in favor of the treatment of neutrals pending the duration of intestine disturbances in the United States, as well as on the sentiments of friendship and good understanding expressed in the note of the honorable W. H. Seward towards the government of his Majesty, to which the undersigned will hasten to communicate these demonstrations of the government of the United States.

The undersigned seizes this occasion to renew to the honorable W. H. Seward the protestations of his most distinguished consideration.

FR. VON GEROLT.

Hon. William H. Seward,
Secretary of State of the United States, Washington.

Mr. Judd to Mr. Seward.

[Extracts.]

Legation of the United States,
Berlin, July 2, 1861.

Sir: I arrived in Berlin on Thursday, the twenty-seventh ultimo, and was cordially welcomed by my predecessor, Mr. Wright, whose attentions and civilities, together with the information imparted to me in connexion with the mission, have tended very much to make my entry into Berlin and induction into office agreeable and pleasant.

Mr. Wright's position here and his influence, as the representative of our government, with the authorities, has been alike creditable and honorable to himself and useful to the citizens of the United States.

His firm straightforward Americanism has won the respect of, and exerted a decided influence upon, the ruling powers of this kingdom.

On the 28th of June Mr. Wright applied to his excellency Baron Schleinitz, minister of foreign affairs, for an interview, for the purpose of presenting his open letter of recall, and affording me the opportunity of presenting the copy of my letter of credence, and requesting my presentation to his Majesty the King.

The baron named the next day, at three o'clock p. m.; and, in accordance with the appointment, Mr. Wright and myself called upon the minister and presented our respective letters. In reply to my request for an audience, the baron stated that the King was at Potsdam; that he would notify him of our wishes, and advise of his Majesty's pleasure upon the subject.

* * * *

On Monday, the first of July, a note from the minister advised me that the King would receive me in private audience at his palace in Berlin at half past four p. m. of that day.

Mr. Wright and myself attended, in pursuance of the summons, and were presented to his Majesty by Baron Schleinitz.

Mr. Wright presented his letter of recall, and addressed his Majesty some remarks appropriate to the occasion, of which his despatch of to-day will contain an account.

I then presented my letter of credence, and stated to his Majesty that I was instructed by the President to convey to him the President's wishes for his health and happiness, and for the prosperity of his kingdom. That our government desired that the friendly relations so long existing between the two governments might continue and increase with the growing prosperity of the two nations. That for myself, personally, I hoped that my residence near his Majesty's government might be useful to the citizens of my country, and acceptable to his Majesty. That I should endeavor in my official action to promote and increase the harmony, good will, and friendly feelings that had so long existed between the two nations, and that I presented my own best wishes for the health and happiness of his Majesty.

The King, in reply, expressed his warm feelings towards Mr. Wright, and stated that he regretted the troubles in our country; that he hoped soon to see them ended, and the integrity and majesty of our government and law maintained, and order triumph.

He thanked Mr. Wright for his allusion to the past friendly relations, and the manner in which he had promoted the same, and assured us that he was happy to hear through me the assurance of the continuance of the same.

The day following my presentation was occupied by me in establishing my relations with the ministers of state and the several diplomatic functionaries residing at this court.

I have the honor to be your obedient servant,

N. B. JUDD.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Judd to Mr. Seward.

[Extract.]

No. 4.]
Legation of the United States,
Berlin, July 24, 1861.

Sir: On the 9th of July instant, in pursuance of the special instructions contained in despatch No. 4, from the Department of State to this legation, under date of April 24, 1861, to seek an early opportunity to ascertain whether the government of Prussia is disposed to enter into negotiations for the accession of the government of the United States to the articles of the declaration of the congress assembled at Paris, April 16, 1856, on the question of privateering and maritime war, I had an interview with Baron Von Schleinitz, minister of foreign affairs of his Majesty the King of Prussia. In communicating to the baron my instructions on that subject, and informing him of the disposition of the government of the United States to bring the negotiation on the basis of the Paris declaration to a speedy and satisfactory conclusion, I, at the same time, expressed to him how eminently desirable for the good of all nations the President deems it that the property and effects, not contraband of war, of private individuals, although citizens of belligerent States, should be exempt from seizure and confiscation by national vessels in time of maritime war. The baron, in response, assured me that his Majesty's government desired to adopt the most liberal policy on that subject.

I then alluded to his instructions to Baron Von Gerolt, the Prussian minister in Washington, as published in the official journal, the "Staats Arzeiger," and inquired if it was desired to transfer the negotiations to Washington. He replied in the negative, adding that the purpose and intent of the document chiefly was to give utterance to, and make manifest the good will of, his Majesty's government towards that of the United States, and to furnish a full and free communication and exchange of views between the two governments.

In reply to his inquiry, whether the President of the United States, through me, was prepared to submit propositions for a convention, I informed him that I had special powers to negotiate a treaty based upon the Paris declaration, and that a memorandum for that purpose had been prepared by the Department of State for my guidance. To my inquiry, whether the production of the evidence of my special authority was desired at this time, he replied negatively, but asked to be informed whether the treaty was intended to be a joint one with all the parties to the Paris conference, or a separate convention with each one of the parties. I responded that my instructions directed me to negotiate with the Prussian government only. He then requested that the propositions of the government of the United States be submitted in writing, promising, in that event, an early consideration of the same. Accordingly, on the 11th day of July instant, I addressed a communication to Baron Von Schleinitz, minister of foreign affairs, together with a copy of the memorandum for a convention upon the subject of belligerents and neutrals in time of war between the United States of America and his Majesty the King of Prussia, as furnished me by the Department of State, in connexion with its despatch No. 4, under date of April 24, 1861. A copy of my communication accompanies this despatch, marked Exhibit No. 1. No reply has yet been received from Baron Von Schleinitz to that communication.

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I have the honor to be, respectfully, your obedient servant,

N. B. JUDD.

Hon. W. H. Seward,
Secretary of State, Washington, D. C.

Exhibit No. 1.

Legation of the United States,
Berlin, July 11, 1861.

Monsieur le Baron: The undersigned, envoy extraordinary and minister plenipotentiary, has the honor herewith to present the memoranda referred to in our conversation of yesterday, it being simply a statement of the articles of the declaration adopted by the congress assembled at Paris, April 16, 1856.

While the President has instructed the undersigned to present and assent to a convention in terms substantially that of the congress at Paris, the President, nevertheless, desires the undersigned to submit to the government of his Majesty the King of Prussia how just and eminently desirable for the good of all nations he considers it that the property and effects of private individuals, not contraband of war, should be exempt from seizure and confiscation by national vessels in time of maritime war, although belonging to the citizens and subjects of the belligerent States; and in view of this fact, the undersigned begs leave to state to your excellency that he feels authorized and prepared to so modify the propositions he has the honor herewith to submit as to embrace the principle above stated, if it should meet the views and be deemed desirable by the government of his Majesty the King of Prussia.

The undersigned avails himself of this opportunity to assure your excellency of his high and distinguished consideration.

N. B. JUDD.

His Excellency Baron Von Schleinitz,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Seward to Mr. Judd.

No. 7.]

Department of State,
Washington, July 26, 1861.

Sir: Mr. Wright's despatch, No. 177, dated June 22, was duly received.

Baron Gerolt has handed to me a copy of the instruction from his government, to which Mr. Wright refers. I have acknowledged the tenor of that paper as not unacceptable, but I agree with Mr. Wright in thinking it desirable that the strongest possible expressions be obtained from Prussia for their moral effect.

Our army on the Potomac encountered a reverse on the 21st, which, for the moment, produced a shock; but the evil effects of the disaster have already passed away, while a more vigorous and determined resolution exists now than ever to strengthen and preserve the Union.

We have put all the candidates recommended to us by Baron Schleinitz into military employment.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Norman B. Judd, Esq., *&c., &c., &c., Berlin.*

Mr. Seward to Mr. Judd.

[Extract.]

No. 12.]

Department of State,
Washington, August 12, 1861.

Sir: Your despatch of July 24, No. 3, has been received. Your conduct in relation to the subject of negotiations for a convention with the government of Prussia on the subject of the rights of neutrals in maritime war, as referred to in that paper, is approved. * * * * *

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Norman B. Judd, Esq., *&c., &c., &c.*

Mr. Judd to Mr. Seward.

[Extract.]

No. 6.] LEGATION OF THE UNITED STATES,
Berlin, August 27, 1861.

SIR: * * * * * * * * *

Since my written communication to Baron Von Schleinitz on the subject of the maritime treaty, a copy of which was sent to the State Department in my despatch No. 4, I have not heard from this government directly upon the subject; but Baron Von Mohrenheim, of the Russian legation, informs me that, in conversation with Baron Von Schleinitz, the latter expressed the opinion that the object sought by the United States could be attained by a simple adhesion on its part to the articles of the Paris treaty, and that there was no necessity for a formal and separate treaty. I also learned from Baron Von Mohrenheim that the Russian government inclined to the same opinion. My conversations with the members of the diplomatic corps here have convinced me that they are not only thoroughly advised of the views and action of their own governments in this matter, but that every step taken by any government interested is promptly communicated, so that each representative is fully advised of the condition of the question with all the governments, and that there is concerted action, with England at the head.

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I have the honor to be, very respectfully, your obedient servant,

N. B. JUDD.

Hon. W. H. SEWARD,
Secretary of State.

Mr. Judd to Mr. Seward.

[Extract.]

No. 10.] LEGATION OF THE UNITED STATES,
Berlin, October 10, 1861.

SIR: I have the honor to acknowledge the receipt of your despatch (No. 14) bearing date September 21, 1861. Since my communication to the foreign office here in relation to the maritime treaty, a copy of which accompanied despatch No. 4, from this legation, I have no word or note from the Prussian government on the subject.

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I have the honor to be, respectfully, your obedient servant,

N. B. JUDD.

Hon. W. H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Judd.

No. 16.]

DEPARTMENT OF STATE,
Washington, October 21, 1861.

SIR: Your despatch of September 24 (No. 8) has been received. It treats of many matters interesting, though not of chief importance. Your proceedings in regard to them are approved. Disunion, by surprise and impetuous passion, took the first successes, and profited by them to make public opinion in Europe. Union comes forward more slowly, but with greater and more enduring vigor. This nation, like every other, in the present as in all other cases, stands by its own strength. Other powers will respect it so long as it exhibits its ability to defend and save itself. More, perhaps, ought not to be wished; certainly it could not be reasonably expected.

I am, &c.,

WILLIAM H. SEWARD.

N. B JUDD, Esq.,
&c., &c., &c., Berlin.

BELGIUM.

Mr. Seward to Mr. Sanford.

No. 2.] Department of State,
Washington, March 26, 1861.

Sir: Having spent the winter in Washington, you need not be informed of the attempts of a misguided party of citizens in several of the southern States, not unattended with violence and spoliation, to dismember the federal republic, and of their scheme to organize several of the States in a new revolutionary government, under the name of the Confederate States of America. Formidable as this conspiracy seemed at the beginning, it is now confidently believed that the policy of the present administration in regard to it will be supported by the people—a policy of conciliationr forbearance, and firmness—and that the conspiracy will thus fail for want of ultimate adoption by the States themselves which are expected to constitute the new confederacy. Aware of this danger, the movers in that desperate and destructive enterprise are now understood to be making every effort to gain external advantage by appeals to prejudice or supposed interest in foreign nations for a recognition of the independence of the proposed new confederacy.

Under these circumstances the most important duty of the diplomatic representatives of the United States in Europe will be to counteract by all proper means the efforts of the agents of that projected confederacy at their respective courts. It was your extensive acquaintance on the continent, taken in connexion with your activity and energy here, which induced the President to confer upon you the appointment of minister resident in Belgium.

The general considerations to be urged against such a recognition will be found in the inaugural address of the President, delivered on the 4th of March instant, and in a circular letter despatched by me on the 9th instant to our ministers, an original part of which will be found in the archives of your legation. For your present convenience I enclose a copy of this circular letter.

The President, confident of the ultimate ascendancy of law, order, and the Union, through the deliberate action of the people in constitutional forms, does not expect you to engage in any discussion which the agents of the disunionists may attempt to initiate on the merits of their proposed revolution. He will not consent, directly or indirectly, to the interpellation of any foreign power in a controversy which is merely a domestic one.

There is some reason to suppose that the agents of the disunionists will attempt to win favor for their scheme of recognition by affecting to sympathize with the manufacturing interests of the European nations in their discontent with the tariff laws of the United States, and by promising to receive the fabrics of such nations on more favorable terms. You will be able to reply to such seductions as these that the new tariff laws thus complained of are revenue laws deemed by the legislature of the United States necessary under new and peculiar circumstances; that all experience shows that such laws are not and cannot be permanent; that if, as is now pretended, they shall prove to be onerous to foreign commerce, they will, of course, prove also to be unfruitful of revenue, and that in that case they will necessarily be promptly modified. The inconvenience, if any shall result from them, will therefore be temporary and practically harmless. Nor will any statesman of a foreign country need to be informed that the consumption of the fabrics which it is proposed shall be favored by the so-called seceding States chiefly takes place, not within those States, but in a very large degree in the States which remain undisturbed by this unhappy attempt at revolution

It hardly needs be added that the recognition which the insurgents States desire tends through either peace or war to the establishment of a new government. That new government, like the government of the United States, must levy imports on foreign merchandise, while it must also resort to an export duty on cotton, its great staple, for its support; and these two measures combined would constitute a policy largely prohibitive, instead of the liberal and genial one which is now promised by the disunion party.

You will not fail to represent to the government of the King of the Belgians that all the interests of European manufactures and commerce are identified with the promotion of peace and the undisturbed activity of the American people. An act of recognition in favor of a now discontented party would necessarily tend to encourage that party to attempt to establish their separation from the Union by civil war, the consequences of which would be disastrous to all the existing systems of industrial activity in Europe, and when once they had begun, those consequences would be likely to continue indefinitely; whereas no nation in Europe can hope that their own interests would be as safe and prosperous under any change of government here as they are now and have so long been under our present system.

It is quite manifest already that differences and embarrassing questions may soon arise concerning the conduct of commerce, and that the commercial States of Europe may be subjected to strong seductions to violate our revenue laws and regulations. You will say generally on this subject that the government of the United States will expect the same respect to those laws and regulations which has hitherto been shown and which our treaties of amity and commerce entitle us to demand, and that it will not hold itself bound to favor or exempt from consequences any parties, of whatever nation, who may violate them. It does not at all distrust its ability to maintain them or the good disposition of its allies to observe them.

I shall not enlarge on these subjects, insomuch as the phase of the whole affair changes almost daily. The President willingly expects to rely on your astuteness in discovering points of attack and your practical skill and experience in protecting the interests of the United States. He will expect you, however, to communicate to this department very fully and frequently, and you will receive prompt instructions in every new emergency.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Henry S. Sanford, Esq., *&c.*, *&c.*, *&c.*

Mr. Sanford to Mr. Seward.

[Extract.]

No. 1.]

LEGATION OF THE UNITED STATES,
Brussels, May 10, 1861.

SIR: * * * * * * * * *

I was received by the King, to present my letter of credence, on the 8th, in "solemn audience," and made on the occasion an address, of which I enclose a copy, (A.)

The King replied that he highly appreciated the sentiments of friendly feeling, of which I bore to him the expression, from the President, and the flattering terms, as he expressed it, in which they were couched. He desired me to tender to the President his thanks for them, and to say that he reciprocated fully the desire for the continuance of the friendly and cordial relations which, during the more than thirty years that had elapsed since the formation of his government, had marked our intercourse, and he hoped for the continued prosperity of the United States. After some remarks complimentary to myself and my former residence in Europe, he entered into general conversation, in which he showed great interest in and knowledge of the United States, manifesting a warm desire to have the means of direct intercourse increased between the two countries. The genius of his people, he said, was rather for industrial pursuits at home, and in which they had been very successful; but they had failed upon the seas; and he thought if the enterprise and practical knowledge of our people could be brought to bear in favor of steam communication between Belgium and the United States, a large trade could be diverted through this channel, Antwerp being a natural entrepôt for Central Europe.

His Majesty spoke but generally of the insurrection in the southern States; said he hoped that some peaceful issue would be found, and that the spirit of conciliation would prevail, and then referred to the growing markets they had for their manufactures in the United States. My audience, which was lengthened by a long conversation on general subjects, was most satisfactory, in the very kind and cordial spirit manifested by his Majesty.

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I have the honor to be, with great respect, your obedient servant,

H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Sanford to Mr. Seward.

[Extracts.]

No. 5.]

LEGATION OF THE UNITED STATES,
Brussels, May 26, 1861.

SIR: I had a conversation to-day with M. de Vrière on the subject of the efforts of the commissioners of the so-called "Confederate States" to obtain recognition of the European powers.

He informed me that no application had been made to him in this view, nor would it now be entertained if made. The revolution would receive no sanction by any act of Belgium. A small State, he continued, whose prosperity depended on the full exercise of the industrial pursuits of its people, they did not mingle in foreign politics, their policy being not to imperil their interests by stepping beyond the limits of strict neutrality in their intercourse with other States. They should, therefore, remain "neutral," as he expressed it, in respect to this question. They had not even yet recognized the Italian government, he added. We desired, I told him, not to be subjected to any interference in the settlement of our domestic affairs, whether in the form of recognition of political existence or of belligerent rights of those who were in open rebellion to the government and laws of the United States. It was an issue between order and anarchy which we were fully able to cope with, and all Europe was interested that its settlement be in the most prompt and effective manner, as least liable to cause permanent derangement to commerce.

In reply to my inquiry, he said he had received no official information of the blockade of our southern ports, proclaimed by the President, although he had late advices from the Belgian minister at Washington. He had only knowledge of it, he said, as printed in the papers. In answer to his inquiry, I said I thought it would not injuriously affect the supply of cotton, as the crop of the past year had mostly gone forward; and, moreover, that while the blockade would be rigorously enforced with regard to supplies, or vessels bearing the "confederate" flag, I presumed, although I had no instructions on the subject, that the vessels now loading, or under engagements to load in those ports, would be allowed reasonable time to leave; that there was every desire to make this condition of things, which was but temporary, as little embarrassing as possible to foreign commerce. The minister expressed great satisfaction at this, and said that the possibility of failure of the cotton supply, growing out of these troubles in our southern States, was causing great anxiety.

M. de Vrière then spoke of the new tariff with a great deal of feeling; said that it was highly prejudicial to their interests, instancing in point that forty furnaces for the manufacture of window glass had been stopped in consequence, and expressed his surprise that, in this age of progress, when Europe was abandoning the exploded system, as he expressed himself, of differential duties, the United States should pursue such a course. Their own experience as a manufacturing people had convinced them of the bad policy of such a system for the interests of the manufacturers themselves. I replied that I presumed the general interruptions of trade consequent upon apprehended war in the United States was, quite as much as the new tariff, a cause for suspension of the traffic he referred to. The tariff had been augmented by the last Congress to produce more revenue; if it failed to produce such result, it would probably be changed; it was a matter dependent on the will of Congress, and he was aware we had had several changes in the past few years, none of which had apparently given satisfaction to the manufacturing States of Europe which desired to supply our markets; still, it was our main source of revenue, and the system of raising means for the expenses of the government by a duty on importations would probably long continue.

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I took my leave of M. de Vrière with the repeated assurance that no countenance would be given, in any form, to the rebellion in our southern States.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. William H. Seward,
Secretary of State.

Mr. Sanford to Mr. Seward.

[Extract.]

No. 9.] LEGATION OF THE UNITED STATES,
Brussels, June 22, 1861.

SIR: As M. de Vrière is out of town, I directed the attention of Monsieur Saluremont, the secretary general, who is charged with the affairs of the department in the absence of the minister, in an interview with him to-day, as to the propriety of a proclamation warning Belgians from taking service under those in rebellion to the federal government, furnishing them "aid and comfort," and, especially, closing the ports of Belgium to their "*privateers*"—declared by the President to be pirates—or permitting them to be fitted out in her ports. I said that while the assurances I had received from M. de Vrière, soon after my arrival, of the attitude of his government had been satisfactory, I hoped it would now give public expression to them, both as due to a friendly power and as a warning to their own citizens of the perils of such enterprises.

Mons. Saluremont replied that the matter had been under consideration; that the position which England and France had taken had not seemed to be satisfactory to the government of the United States, and they had delayed, in consequence, taking any formal steps; but not, he begged me to be assured, from any want of friendly spirit or desire to do all the occasion called for at their hands.

I replied that he was correct in his views of our sentiments as to the course which England and France had seen fit to pursue. We could not look upon the recognition of belligerent rights to those who, under our laws, were rebels, and before we had attempted to employ forcible means of coercion, as evincing the friendly spirit we had a right to expect; that these people would be treated none the less as rebels on the land as pirates on the seas—they or those of whatever nationality who joined them; and we counted, on the part of Belgium, upon no such qualification of our citizens in rebellion, whom we were engaged in submitting to the action of our laws.

He said their legislation provided generally for the cases I had instanced, but that attention would be immediately given to the subject, and he thought we need not have any reason to be dissatisfied with the action they would take in the premises.

He then told me that our new tariff law was a subject of great complaint in Belgium, and great distress in some branches of industry which it had destroyed, referring specially to glass and some kinds of woollen goods.

I again explained our system of revenue, which all manufacturing States this side the Atlantic insist upon believing to be disadvantageous to their interests.

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I have the honor to be, with great respect, your most obedient servant,
H. S. SANFORD.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Sanford to Mr. Seward.

[Extract,]

No. 10.] LEGATION OF THE UNITED STATES,
Brussels, July 2, 1861.

SIR: Referring to a conversation detailed in my despatch No. 9, I have the honor to enclose a notice published in the official journal (the *Moniteur*) of the 25th ultimo, in which, basing its action upon the stipulations of the declaration of the congress of Paris of April 16, 1856, it is announced that instructions have been addressed to the judicial, maritime, and military authorities to inform them that privateers of no nation or flag, alone or with their prizes, will be permitted, save in cases of extreme danger by stress of weather, to enter the ports of Belgium; enjoining upon them to recognize no commission or letter of marque as having validity; and warning all subject to the Belgian laws that in taking part or service in any privateers they incur risk of being treated as pirates abroad, and of being prosecuted with the utmost rigor of the laws at home. In thanking the acting minister for this prompt response to my request, I observed that while this was sufficient, in so far as it went, for the occasion that called it forth—as we had, and expected to have, no privateers upon the sea at this time—still, so long as we were not a party to the declaration of Paris, the employment of privateers by the United States was undoubtedly as much a belligerent right as the employment of militia on land; and in the event of a foreign war we should expect, on the part of friendly powers, no such impediment to its exercise by any injurious distinction between it and the other arms of the public service.

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I have the honor to be, with great respect, your most obedient servant,
H. S. SANFORD.

[Translation.]

Belgium has given its adhesion to the principles laid down in the declaration of the congress of Paris of April 16, 1856. This adhesion was published, together with said declaration, in the Belgian *Moniteur* of June 8, 1856.

The commercial public is notified that instructions on this subject have been given to the judicial, maritime, and military authorities, warning them that privateers, under whatever flag or commission, or letters of marque, are not to be allowed to enter our ports except in case of imminent perils of the sea. The aforesaid authorities are charged, consequently, to keep a strict watch upon all such privateers and their prizes, and to compel them to put to sea again as soon as practicable.

The same authorities have been charged not to recognize the validity of any commission or letter of marque whatsoever.

All persons subject to the laws of Belgium, who shall fit out or take any part in any privateering expedition, will therefore expose themselves to the danger, on the one hand, of being treated as pirates abroad, and, on the other, to prosecution before Belgian tribunals with all the rigor of the laws.

Mr. Seward to Mr. Sanford.

No. 4.]

DEPARTMENT OF STATE,
Washington, May 6, 1861.

SIR: Herewith I transmit a copy of a despatch of the 24th ultimo, which has been addressed to the several ministers of the United States accredited to the maritime powers whose plenipotentiaries composed the congress of Paris of the 16th April, 1856, calling their attention to the importance of endeavoring to negotiate with those powers conventions upon the subject of the rights of belligerents and neutrals in time of war. The government of Belgium was not represented in the Paris congress; but the negotiation of a similar convention with that government is considered desirable, and you will therefore be governed by the instruction of which I enclose a transcript, and endeavor to effect that object. With this view I herewith send you a full power and a draft of the proposed convention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 9.]

DEPARTMENT OF STATE,
Washington, June 21, 1861.

SIR: Your despatches (No. 5, dated May 26, and No. 6, of the same date) have been received. We are especially pleased with Mr. De Vrière's just and friendly sentiments in regard to our affairs.

You are aware that the declaration of Paris enjoins each of the parties that have signed it not to negotiate any other changes of the law of nations concerning the rights of neutrals in maritime war. We have supposed that this would operate to prevent Great Britain, and probably France, from receiving our accession to the declaration, if we should insist on the amendment proposed by Mr. Marcy, namely, the exemption of private property of non-belligerents from confiscation. But we should now, as the instructions heretofore given you have already informed you, vastly prefer to have that amendment accepted. Nevertheless, if this cannot be done, let the convention be made for adherence to the declaration pure and simple.

The feverish excitement which prevailed when you left the country is passing away. Public confidence in the ability of the government to repress the insurrection and preserve the Union is practically restored, and the beneficial result that two months ago seemed problematical is now regarded as only a question of time.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

H. S. SANFORD, Esq., *&c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 11.]

DEPARTMENT OF STATE,
Washington, June 22, 1861.

SIR: Your despatch of the 5th June, (No. 8,) accompanied by a copy of your letter to Mr. De Vrière, on the subject of our proposed adherence to the declaration of the congress of Paris, has been received. We see no reason to doubt the propriety of that communication.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c., &c., &c*, *Brussels.*

Mr. Sanford to Mr. Seward.

[Extract.]

No. 11.]

UNITED STATES LEGATION,
Brussels, July 3, 1861.

SIR: I have not been unmindful of your instructions (No. 2) respecting a convention for the abrogation of passports for our citizens travelling or sojourning in Belgium.

As already intimated in my first despatch, passports are already almost virtually abolished here, the *visa* being no longer necessary. The usual course of this government in respect to this subject is, upon notification by a government that Belgians are not required to be provided with passports to enter upon or travel within its territories, to exempt equally citizens or subjects of such nations in Belgium.

This course has been pursued with Sweden and Holland, and will be soon followed with France and England.

In view of the disturbances in our southern States, and the consequent impossibility of assuring entire reciprocity of exemption from passports throughout our territory, I have not deemed it advisable at this time to make any proposition on this subject.

I am assured by Mr. De Vrière that, on formal notification that Belgians will not be required to present passports in the United States, the proper authorities here will direct the exemption of citizens of the United States travelling here from the requirement of passports.

They would need, however, in case of domicile here, some document to prove their identity. In this connexion, it may not be out of place to refer to a conversation I had some time since on this subject of the abolition of passports, with the officer in charge of that branch of the public service in France.

He said that they had already exempted British subjects coming to France from the action of the passport regulations, and had lately made similar exemptions with regard to Sweden, and were about to make the same exemptions with respect to Belgium, and would with most other nations on a footing of reciprocity. This was, however, a purely administrative act, liable to be recalled whenever considered for the interest of the state. They would in no case make a treaty which should bind them to the perpetual abolition of passports *vis-a-vis* to my nation.

In the present aspect of affairs in the United States, they deemed it important to have a control over the movements of their citizens to the United States and *vice versa* of ours in French territory; and deemed the present an inopportune time to make any change in the passport system with respect to the United States.

When matters returned to their normal condition, there would be no objection, he said, to suspend their passport regulations for citizens of the United States, and a simple administrative order was all that was necessary on their part, and could be made at any time when deemed expedient.

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I have the honor to be, with great respect, your most humble servant,

H. S. SANFORD.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Sanford.

No. 12.]

Department of State,
Washington, July 8, 1861.

Sir: Your despatch of June 22 (No. 9) was duly received. It is, in the main, not unsatisfactory, so far as the subject of our domestic affairs is concerned.

In regard to the rights of friendly or neutral powers in maritime war, the subject has become somewhat complicated, and it would be a tedious labor to make a distinct explanation to each of our ministers abroad. I send you instead, *confidentially*, a copy of my last despatch on this subject to Mr. Dayton. It may serve as a guide to your own conduct in relation to the subject.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Henry S. Sanford, Esq., *Brussels.*

Mr. Sanford to Mr. Seward.

No. 15.]

Legation of the United States,
Brussels, July 18, 1861.

Sir: I have the honor to acknowledge the receipt of your despatches Nos. 9, 10, and 11, under dates of the 20th and 22d respectively.

I have as yet received no reply from M. De Vrière to my note to him of the 5th ultimo, on the subject of our adhesion to the declaration of the congress of Paris. I referred to it a few days since on the occasion of a visit to the foreign office, and was told that my proposition had been communicated to the French government, and that communication had been made by it to this government of the main points of the note addressed by M. Thouvenel to M. Mercier in the month of May upon this subject of neutral rights. I inferred from this that they were awaiting the result of the communications made to you by the French and English governments through their ministers at Washington.

I will take an early opportunity to bring the subject again to the attention of the minister.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. William H. Seward,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Sanford.

No. 20.]
Department of State,
Washington, July 30, 1861.

Sir: The accompanying transcript of an instruction to our minister to Great Britain, dated the 21st instant, and numbered 42, will place you in possession of the views of this government concerning the principle of the law which authorizes the President to close the ports that have been seized by the insurgents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Henry S. Sanford, Esq., *&c., &c., &c., Brussels.*

Mr. Sanford to Mr. Seward.

No. 16.]
Legation of the United States,
Brussels, July 30, 1861.

Sir: I called yesterday at the department of foreign affairs to press again upon the attention of Baron De Vrière the proposition of adhesion to the declaration of Paris, made to him near two months since, and he being out of town, I saw the secretary general, who, as before said, replaces the minister in his absence.

In reply to my question whether the government had come to any decision, he said that they were not yet sufficiently informed of the condition of this subject at other courts to give me any positive answer; that while he would not say that they would give a negative one, the policy and acts of Belgium being, as I was aware, doubtless most liberal, yet they did not feel, as a smaller power, justified in taking any step of this nature in advance of their neighbors.

I inquired whether there was any other objection to this proposed convention than he had indicated, in order to learn whether the addition of the Marcy proposition was considered an impediment. He said he was not prepared to give any other; that their position with regard to neighboring powers, to whom Belgium owed, in one sense, her nationality, was a delicate one, and they did not feel authorized to take any initiative in negotiations of this character; they left that to those powers who must necessarily have a controlling influence in general politics.

It is thus evident that this government will do nothing till after the great powers have decided upon a course of action in this matter.

I have the honor to be, with great respect, your most obedient servant,

H. S. SANFORD.

Hon. William H. Seward,
Secretary of State, &c., &c., &c.

P. S.—I open my despatch to acknowledge the receipt of your despatches Nos. 12, 13, and 14, with their respective enclosures, which will have immediate action.

H. S. S.

Mr. Seward to Mr. Sanford.

No. 22.]

Department of State,
Washington, August 5, 1861.

Sir: Your despatch No. 15, dated July 18, has been received.

There is no especial urgency on our part for consideration by the Belgium government of our proposition to accede to the declaration of the congress of Paris before the similar propositions submitted to the British and French governments shall have been acted upon by them, although we hold ourselves ready to carry our overtures into effect when the Belgium government shall desire.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Henry S. Sanford, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 23.]

Department of State,
Washington, August 12, 1861.

Sir: Your despatch dated July 3 (No. 11) has been received.

I am quite content, under existing circumstances, with the disposition you propose in that paper to make of the subject of passports, and I acquiesce very cheerfully in the views which you take of the importance of vigilance in regard to the movements of disaffected citizens of our own country travelling in Europe.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Henry S. Sanford, Esq., *&c., &c., &c., Brussels.*

Mr. Seward to Mr. Sanford.

No. 24.]

Department of State,
Washington, August 21, 1861.

Sir: Your despatch of July 30 (No. 16) has been received.

I am not disappointed, nor do I think we ought to be dissatisfied, with Mr. De Vrière's reply to your inquiry on the subject of maritime relations.

You are so frequently at Paris and London, that I may refer you to the legations at one of those places for the latest phase of our negotiation on the same subject with the government of Great Britain. That government having taken the lead in determining European relations to us, and other powers having silently acquiesced, we shall hardly expect them to anticipate her own final decision upon the case, as it is presented to all alike.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

HENRY S. SANFORD, Esq., *&c*, *&c.*, *&c.*, *Brussels.*

MEXICO.

Mr. Seward to Mr. Corwin.

No. 2.]

Department of State,
Washington, April 6, 1861.

Sir: The actual condition of affairs in Mexico is so imperfectly understood here that the President finds it very difficult to give you particular and practical directions for the regulation of your conduct during your mission.

Our latest information was, in substance, that the provisional government of President Juarez, so long confined to the sea-coasts of the country, had finally overthrown its adversaries and established itself at the capital; that the opposing armies had been demoralized and dispersed, and that there was no longer any armed resistance in the States; that an election for president had been held, in conformity with the constitution of 1857, and that the now provisional president had probably secured a majority of the votes, although the result was as yet not certainly known. The pleasure which these events have inspired is unhappily diminished by rumors that the government is without sufficient authority or hold on the public confidence to maintain order; that robberies are of frequent occurrence on the high roads, and even that a member of our late legation in the country has been murdered on his way from the city of Mexico to Vera Cruz.

You will apply yourself at once, with energy and diligence, to investigate the truth of this last-mentioned occurrence, which, if found to have been accurately reported, will not only be regarded as a high offence against the dignity and honor of the United States, but will prove a severe shock to the sensibilities of the American people.

The President is unable to conceive that any satisfactory explanation of a transaction so injurious to the character of Mexico can be made. He will, however, wait for your report concerning it, though with the deepest anxiety, before taking action upon the subject.

I find the archives here full of complaints against the Mexican government for violations of contracts and spoliations and cruelties practiced against American citizens. These complaints have been lodged in this department, from time to time, during the long reign of civil war in which the factions of Mexico have kept that country involved, with a view to having them made the basis of demands for indemnity and satisfaction whenever government should regain in that country sufficient solidity to assume a character for responsibility. It is not the President's intention to send forward such claims at the present moment. He willingly defers the performance of a duty which at any time would seem ungracious, until the incoming administration in Mexico shall have had time, if possible, to cement its authority and reduce the yet disturbed elements of society to order and harmony. You will, however, be expected, in some manner which will be marked with firmness as well as liberality, to keep the government there in mind that such of these claims as shall be found just will, in due time, be presented and urged upon its consideration.

While now, as heretofore, it is a duty of this government to reason with that of Mexico, and deprecate a continuance of the chronic reign of disorder there, a crisis has unhappily arrived, in which the performance of this duty is embarrassed by the occurrence of civil commotions in our own country, by which Mexico, in consequence of her proximity, is not unlikely to be affected. The spirit of discontent seems, at last, to have crossed the border, and to be engaged in an attempt to overthrow the authority of this government in some parts of the country which adjoin the Mexican republic. It is much to be feared that new embarrassments of the relations of the two countries will happen when authority so long prostrated on the Mexican side finds the power of the United States temporarily suspended on this side of the frontier. Whatever evils shall thus occur, it is much to be feared will be aggravated by the intervention of the Indians, who have been heretofore with difficulty restrained from violence, even while the federal authority has been adequately maintained.

Both of the governments must address themselves to this new and annoying condition of things, with common dispositions to mitigate its evils and abridge its duration as much as possible.

The President does not expect that you will allude to the origin or causes of our domestic difficulties in your intercourse with the government of Mexico, although that government will rightfully as well as reasonably ask what are his expectations of their course and their end. On the contrary, the President will not suffer the representatives of the United States to engage in any discussion of the merits of those difficulties in the presence of foreign powers, much less to invoke even their censure against those of our fellow-citizens who have arrayed themselves in opposition to its authority.

But you are instructed to assure the government of Mexico that these difficulties, having arisen out of no deep and permanent popular discontent, either in regard to our system of government itself, or to the exercise of its authority, and being attended by social evils which are as ruinous as they are unnecessary, while no organic change that is contemplated could possibly bring to any portion of the American people any advantages of security, peace, prosperity, or happiness equal to those which the federal Union so effectually guaranties, the President confidently believes and expects that the people of the United States, in the exercise of the wisdom that hitherto has never failed them, will speedily and in a constitutional way adopt all necessary remedies for the restoration of the public peace and the preservation of the federal Union.

The success of this government in conducting affairs to that consummation may depend in some small degree on the action of the government and people of Mexico in this new emergency. The President could not fail to see that Mexico, instead of being benefited by the prostration or the obstruction of federal authority in this country, would be exposed by it to new and fearful dangers. On the other hand, a condition of anarchy in Mexico must necessarily operate as a seduction to those who are conspiring against the integrity of the Union to seek strength and aggrandizement for themselves by conquests in Mexico and other parts of Spanish America. Thus, even the dullest observer is at last able to see what was long ago distinctly seen by those who are endowed with any considerable perspicacity, that peace, order, and constitutional authority in each and all of the several republics of this continent are not exclusively an interest of any one or more of them, but a common and indispensable interest of them all.

This sentiment will serve as a key to open to you, in every case, the purposes, wishes, and expectations of the President in regard to your mission which, I hardly need to say, he considers at this juncture perhaps the most interesting and important one within the whole circle of our international relations.

The President of the United States does not know, and he will not consent to know, with prejudice or undue favor any political party, religious class, or sectional interest in Mexico. He regrets that anything should have occurred to disturb the peaceful and friendly relations of Mexico with some of the foreign States lately represented at her capital. He hopes most sincerely that those relations may be everywhere renewed and reinvigorated, and that the independence and sovereignty of Mexico and the government which her people seem at last to have accepted, after so many conflicts, may be now universally acknowledged and respected.

Taking into view the actual condition and circumstances of Mexico, as well as those of the United States, the President is fully satisfied that the safety, welfare, and happiness of the latter would be more effectually promoted if the former should retain its complete integrity and independence, than they could be by any dismemberment of Mexico, with a transfer or diminution of its sovereignty, even though thereby a portion or the whole of the country or its sovereignty should be transferred to the United States themselves. The President is moreover well aware that the ability of the government and people of Mexico to preserve and maintain the integrity and the sovereignty of the republic might be very much impaired, under existing circumstances, by hostile or unfriendly action on the part of the government or of the people of the United States. If he needed any other incentive to practice justice and equality towards Mexico, it would be found in the reflection that the very contention and strife in our own country which at this moment excite so much domestic disquietude and so much surprise throughout a large part of the world, could probably never have happened if Mexico had always been able to maintain with firmness real and unquestioned sovereignty and independence. But if Mexico has heretofore been more unfortunate in these respects than many other modern nations, there are still circumstances in her case which justify a hope that her sad experience may be now coming to an end. Mexico really has, or ought to have, no enemies. The world is deeply interested in the development of her agricultural, and especially her mineral and commercial, resources, while it holds in high respect the simple virtues and heroism of her people, and, above all, their inextinguishable love of civil liberty.

The President, therefore, will use all proper influence to favor the restoration of order and authority in Mexico, and, so far as it may be in his power, he will prevent incursions and every other form of aggression by citizens of the United States against Mexico. But he enjoins you to employ your best efforts in convincing the government of Mexico and even the people, if, with its approval, you can reach them, that the surest guaranty of their safety against such aggressions is to be found in a permanent restoration of the authority of that government. If, on the other hand, it shall appear in the sequel that the Mexican people are only now resting a brief season to recover their wasted energies sufficiently to lacerate themselves with new domestic conflicts, then it is to be feared that not only the government of the United States but many other governments will find it impossible to prevent a resort to that magnificent country of a class of persons, unhappily too numerous everywhere, who are accustomed to suppose that visionary schemes of public interest, aggrandizement, or reform will justify even lawless invasion and aggression.

In connexion with this point it is proper that you should be informed that the Mexican government has, through its representative here, recently complained of an apprehended attempt at invasion of the State of Sonora by citizens of California, acting, as is alleged, with the knowledge and consent of some of the public authorities in that State. You will assure the Mexican government that, due care being first taken to verify the facts thus presented, effective means shall be adopted to put our neutrality laws into activity.

The same representative has also expressed to the President an apprehension that the removal of the federal troops from the Texan border may be followed by outbreaks and violence there. There is, perhaps, too much ground for this apprehension. Moreover, it is impossible to forsee the course of the attempts which are taking place in that region to subvert the proper authority of this government. The President, however, meantime directs you to assure the Mexican government that due attention shall be bestowed on the condition of the frontier, with a view to the preservation and safety of the peaceable inhabitants residing there. He hopes and trusts that equal attention will be given to this important subject by the authorities of Mexico.

These matters, grave and urgent as they are, must not altogether withdraw our attention from others to which I have already incidentally alluded, but which require more explicit discussion.

For a few years past, the condition of Mexico has been so unsettled as to raise the question on both sides of the Atlantic whether the time has not come when some foreign power ought, in the general interest of society, to intervene to establish a protectorate or some other form of government in that country and guaranty its continuance there. Such schemes may even now be held under consideration by some European nations, and there is also some reason to believe that designs have been conceived in some parts of the United States to effect either a partial dismemberment or a complete overthrow of the Mexican government, with a view to extend over it the authority of the newly projected confederacy, which a discontented part of our people are attempting to establish in the southern part of our own country You may possibly meet agents of this projected confederacy, busy in preparing some further revolution in Mexico. You will not fail to assure the government of Mexico that the President neither has, nor can ever have, any sympathy with such designs, in whatever quarter they may arise or whatever character they may take on.

In view of the prevailing temper and political habits and opinions of the Mexican people, the President can scarcely believe that the disaffected citizens of our own country, who are now attempting a dismemberment of the American Union, will hope to induce Mexico to aid them by recognizing the assumed independence which they have proclaimed, because it seems manifest to him that such an organization of a distinct government over that part of the present Union which adjoins Mexico would, if possible, be fraught with evils to that country more intolerable than any which the success of those desperate measures could inflict even upon the United States. At the same time it is manifest that the existing political organization in this country affords the surest guaranty Mexico can have that her integrity, union, and independence will be respected by the whole people of the American Union.

The President, however, expects that you will be watchful of such designs as I have thus described, however improbable they may seem, and that you will use the most effective measures in your power to counteract any recognition of the projected Confederate States by the Mexican government, if it shall be solicited.

Your large acquaintance with the character of the Mexican people, their interests and their policy, will suggest many proper arguments against such a measure, if any are needful beyond the intimations I have already given.

In conclusion, the President, as you are well aware, is of opinion that, alienated from the United States as the Spanish American republics have been for some time past—largely, perhaps, by reason of errors and prejudices peculiar to themselves, and yet not altogether without fault on our own part—that those States and the United States nevertheless, in some respects, hold a common attitude and relation towards all other nations; that it is the interest of them all to be friends as they are neighbors, and to mutually maintain and support each other so far as may be consistent with the individual sovereignty which each of them rightly enjoys, equally against all disintegrating agencies within and all foreign influences or power without their borders.

The President never for a moment doubts that the republican system is to pass safely through all ordeals and prove a permanent success in our own country, and so to be commended to adoption by all other nations. But he thinks also that that system everywhere has to make its way painfully through difficulties and embarrassments, which result from the action antagonistical elements which are a legacy of former times and very erent institutions. The President is hopeful of the ultimate triumph of this system over all obstacles, as well in regard to Mexico as in regard to every other American State; but he feels that those States are nevertheless justly entitled to a greater forbearance and more generous sympathies from the government and people of the United States than they are likely to receive in any other quarter.

The President trusts that your mission, manifesting these sentiments, will reassure the government of Mexico of his best disposition to favor their commerce and their internal improvements. He hopes, indeed, that your mission, assuming a spirit more elevated than one of merely commerce and conventional amity, a spirit disinterested and unambitious, earnestly American in the continental sense of the word, and fraternal in no affected or mere diplomatic meaning of the term, while it shall secure the confidence and good will of the government of Mexico, will mark the inauguration of a new condition of things directly conducive to the prosperity and happiness of both nations, and ultimately auspicious to all other republican States throughout the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

THOMAS CORWIN, Esq., *&c.*, *&c.*, *&c.*

Mr. Corwin to Mr. Seward.

[Extract.]

No. 1.]

LEGATION OF THE UNITED STATES,
City of Mexico, *May* 29, 1861.

SIR: * * * * * * * *

I deem it of the very first importance that our consuls at every port on the Gulf of Mexico should be at their respective posts, with careful and specific instructions as to their treatment of vessels sailing under the flag of the Confederate States, or having papers from ports within those States, made out by officers under their authority.

Should the relations now existing, or which may hereafter exist, between the United States and the seceding States be such as to require of me any specific act in relation to such state of things, I beg to be advised of it by the department as early as possible.

The present government of Mexico is well affected towards us in our present difficulties, but, for obvious reasons, will be unwilling to enter into any engagement which might produce war with the south, unless protected by promise of aid from the United States.

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I am, &c.,

THOMAS CORWIN.

Hon. W. H. Seward, *&c., &c., &c.*

Mr. Corwin to Mr. Seward.

[Extracts.]

No. 2.

Legation of the United States,
Mexico, June 29, 1861.

Sir: * * * * * * * *

The present time is most propitious for securing the advantages and preventing the evils which I have suggested. The government here feels the strongest sympathy with the United States.

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It has been my constant endeavor since my arrival here to possess the Mexican mind of the true causes of our difficulties, and thus enable them to estimate the danger to this republic which will result from any unfavorable termination of them. I am quite sure that whilst this government will endeavor to preserve peaceful relations with all the European powers on fair terms, it regards the United States as its true and only reliable friend in any struggle which may involve the national existence. That this should be so is somewhat remarkable, when we regard the deep prejudices engendered in the general Mexican mind by the loss of Texas, which they attribute to our citizens, and the compulsory cession of territory which was a consequence of our war with them.

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I am, &c.,

THOMAS CORWIN.

Hon. W. H. Seward,
Secretary of State, U. S., &c., &c., &c.

GREAT BRITAIN.

Mr. Seward to Mr. Adams.

No. 2.] Department of State,
Washington, April 10, 1861.

Sir: Although Great Britain and the United States possess adjacent dominions of large extent, and although they divide, not very unequally, a considerable portion of the commerce of the world, yet there are at present only two questions in debate between them. One of these concerns the line of boundary running through Puget's Sound, and involves the title to the island of San Juan. The other relates to a proposition for extinguishing the interest of the Hudson's Bay and Puget's Sound agricultural companies in the Territory of Washington. The discussion of these questions has hitherto been carried on here, and there is no necessity for removing it to London. It is expected to proceed amicably and result in satisfactory conclusions. It would seem, therefore, on first thought, that you would find nothing more to do in England than to observe and report current events, and to cultivate friendly sentiments there towards the United States. Nevertheless, the peculiar condition of our country in the present juncture renders these duties a task of considerable delicacy.

You will readily understand me as alluding to the attempts which are being made by a misguided portion of our fellow citizens to detach some of the States and to combine them in a new organization under the name of the Confederate States of America. The agitators in this bad enterprise, justly estimating the influence of the European powers upon even American affairs, do not mistake in supposing that it would derive signal advantage from a recognition by any of those powers, and especially Great Britain. Your task, therefore, apparently so simple and easy, involves the responsibility of preventing the commission of an act by the government of that country which would be fraught with disaster, perhaps ruin, to our own.

It is by no means easy to give you instructions. They must be based on a survey of the condition of the country, and include a statement of the policy of the government. The insurrectionary movement, though rapid in its progress, is slow in revealing its permanent character. Only outlines of a policy can be drawn which must largely depend on uncertain events.

The presidential election took place on the 6th of November last. The canvass had been conducted in all the southern or slave States in such a manner as to prevent a perfectly candid hearing there of the issue involved, and so all the parties existing there were surprised and disappointed in the marked result. That disappointment was quickly seized for desperate purposes by a class of persons until that time powerless, who had long cherished a design to dismember the Union and build up a new confederacy around the Gulf of Mexico. Ambitious leaders hurried the people forward, in a factious course, observing conventional forms but violating altogether the deliberative spirit of their constitutions. When the new federal administration came in on the 4th of March last, it found itself confronted by an insurrectionary combination of seven States, practicing an insidious strategy to seduce eight other States into its councils.

One needs to be as conversant with our federative system as perhaps only American publicists can be to understand how effectually, in the first instance, such a revolutionary movement must demoralize the general government. We are not only a nation, but we are States also. All public officers, as well as all citizens, owe not only allegiance to the Union but allegiance also to the States in which they reside. In the more discontented States the local magistrates and other officers cast off at once their federal allegiance, and conventions were held which assumed to absolve their citizens from the same obligation. Even federal judges, marshals, clerks, and revenue officers resigned their trusts. Intimidation deterred loyal persons from accepting the offices thus rendered vacant. So the most important faculties of the federal government in those States abruptly ceased. The resigning federal agents, if the expression may be used, *attorned* to the revolutionary authorities and delivered up to them public funds and other property and possessions of large value. The federal government had, through a long series of years, been engaged in building strong fortifications, a navy yard, arsenals, mints, treasuries, and other public edifices, not in any case for use against those States, but chiefly for their protection and convenience. These had been unsuspectingly left either altogether or imperfectly garrisoned or guarded, and they fell, with little resistance, into the hands of the revolutionary party. A general officer of the army gave up to them a large quantity of military stores and other property, disbanded the troops under his command, and sent them out of the territory of the disaffected States.

It may be stated, perhaps without giving just offence, that the most popular motive in these discontents was an apprehension of designs on the part of the incoming federal administration hostile to the institution of domestic slavery in the States where it is tolerated by the local constitutions and laws. That institution and the class which especially cherishes it are not confined to the States which have revolted, but they exist in the eight other so-called slave States; and these, for that reason, sympathize profoundly with the revolutionary movement. Sympathies and apprehensions of this kind have, for an indefinite period, entered into the bases of political parties throughout the whole country, and thus considerable masses of persons, whose ultimate loyalty could not be doubted, were found, even in the free States, either justifying, excusing, or palliating the movement towards disunion in the seceding States. The party which was dominant in the federal government during the period of the last administration embraced, practically, and held in unreserved communion, all disunionists and sympathizers. It held the executive administration. The Secretaries of the Treasury, War, and the Interior were disunionists. The same party held a large majority of the Senate, and nearly equally divided the House of Representatives. Disaffection lurked, if it did not openly avow itself, in every department and in every bureau, in every regiment and in every ship-of-war; in the post office and in the custom-house, and in every legation and consulate from London to Calcutta. Of four thousand four hundred and seventy officers in the public service, civil and military, two thousand one hundred and fifty-four were representatives of States where the revolutionary movement was openly advocated and urged, even if not actually organized. Our system being so completely federative and representative, no provision had ever been made, perhaps none ever could have been made, to anticipate this strange and unprecedented disturbance. The people were shocked by successive and astounding developments of what the statute book distinctly pronounced to be sedition and treason, but the magistracy was demoralized and the laws were powerless. By degrees, however, a better sentiment revealed itself. The executive administration hesitatingly, in part, reformed itself. The capital was garrisoned; the new President came in unresisted, and soon constituted a new and purely loyal administration. They found the disunionists perseveringly engaged in raising armies and laying sieges around national fortifications situate within the territory of the disaffected States. The federal marine seemed to have been scattered everywhere except where its presence was necessary, and such of the military forces as were not in the remote States and Territories were held back from activity by vague and mysterious armistices which had been informally contracted by the late President, or under his authority, with a view to postpone conflict until impracticable concessions to disunion should be made by Congress, or at least until the waning term of his administration should reach its appointed end. Commissioners who had been sent by the new confederacy were already at the capital demanding recognition of its sovereignty and a partition of the national property and domain. The treasury, depleted by robbery and peculation, was exhausted, and the public credit was prostrate.

It would be very unjust to the American people to suppose that this singular and unhappy condition of things indicated any extreme favor or toleration of the purpose of a permanent dissolution of the Union. On the contrary, disunion at the very first took on a specious form, and it afterwards made its way by ingenious and seductive devices. It inculcated that the Union is a purely voluntary connexion, founded on the revocable assent of the several States; that secession, in the case of great popular discontent, would induce consultation and reconciliation, and so that revolution, instead of being war, is peace, and disunion, instead of being dissolution, is union. Though the ordinances of secession in the seceding States were carried through impetuously, without deliberation, and even by questionable majorities, yet it was plausibly urged that the citizens who had remained loyal to the Union might wisely acquiesce, so as ultimately to moderate and control the movement, and in any event that if war should ensue, it would become a war of sections, and not a social war, of all others, and especially in those States, the form of war most seriously to be deprecated. It being assumed that peaceful separation is in harmony with the Constitution, it was urged as a consequence that coercion would, therefore, be unlawful and tyrannical; and this principle was even pushed so far as to make the defensive retaining by the federal government of its position within the limits of the seceding States, or where it might seem to overawe or intimidate them, an act of such forbidden coercion. Thus it happened that for a long time, and in very extensive districts even, fidelity to the Union manifested itself by demanding a surrender of its powers and possessions, and compromises with or immunity towards those who were engaged in overthrowing it by armed force. Disunion under these circumstances rapidly matured. On the other hand, the country was bewildered. For the moment even loyal citizens fell naturally into the error of inquiring how the fearful state of things had come about, and who was responsible for it, thus inviting a continuance of the controversy out of which it had arisen, rather than rallying to the duty of arresting it. Disunion, sustained only by passion, made haste to attain its end. Union, on the contrary, required time, because it could only appeal to reason, and reason could not be heard until excitement should in some degree subside. Military spirit is an element always ready for revolution. It has a fuller development in the disaffected than in the loyal States. Thousands of men have already banded themselves as soldiers in the cause of disunion, while the defenders of the Union, before resorting to arms, everywhere wait to make sure that it cannot be otherwise preserved. Even this cautious and pacific, yet patriotic disposition has been misunderstood and perverted by faction to encourage disunion.

I believe that I have thus presented the disunion movement dispassionately and without misrepresenting its proportions or its character.

You will hardly be asked by responsible statesmen abroad why has not the new administration already suppressed the revolution. Thirty-five days are a short period in which to repress, chiefly by moral means, a movement which is so active while disclosing itself throughout an empire.

You will not be expected to promulgate this history, or to communicate it to the British government, but you are entitled to the President's views, which I have thus set forth in order to enable you to understand the policy which he proposes to pursue, and to conform your own action to it.

The President neither looks for nor apprehends any actual and permanent dismemberment of the American Union, especially by a line of latitude. The improvement of our many channels of intercourse, and the perfection of our scheme of internal exchanges, and the incorporation of both of them into a great system of foreign commerce, concurring with the gradual abatement of the force of the only existing cause of alienation, have carried us already beyond the danger of disunion in that form. The so-called Confederate States, therefore, in the opinion of the President, are attempting what will prove a physical impossibility. Necessarily they build the structure of their new government upon the same principle by which they seek to destroy the Union, namely, the right of each individual member of the confederacy to withdraw from it at pleasure and in peace. A government thus constituted could neither attain the consolidation necessary for stability, nor guaranty any engagements it might make with creditors or other nations. The movement, therefore, in the opinion of the President, tends directly to anarchy in the seceding States, as similar movements in similar circumstances have already resulted in Spanish America, and especially in Mexico. He believes, nevertheless, that the citizens of those States, as well as the citizens of the other States, are too intelligent, considerate, and wise to follow the leaders to that disastrous end. For these reasons he would not be disposed to reject a cardinal dogma of theirs, namely, that the federal government could not reduce the seceding States to obedience by conquest, even although he were disposed to question that proposition. But, in fact, the President willingly accepts it as true. Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the State. This federal republican system of ours is of all forms of government the very one which is most unfitted for such a labor. Happily, however, this is only an imaginary defect. The system has within itself adequate, peaceful, conservative, and recuperative forces. Firmness on the part of the government in maintaining and preserving the public institutions and property, and in executing the laws where authority can be exercised without waging war, combined with such measures of justice, moderation, and forbearance as will disarm reasoning opposition, will be sufficient to secure the public safety until returning reflection, concurring with the fearful experience of social evils, the inevitable fruits of faction, shall bring the recusant members cheerfully back into the family, which, after all, must prove their best and happiest, as it undeniably is their most natural home. The Constitution of the United States provides for that return by authorizing Congress, on application to be made by a certain majority of the States, to assemble a national convention, in which the organic law can, if it be needful, be revised so as to remove all real obstacles to a reunion, so suitable to the habits of the people, and so eminently conducive to the common safety and welfare.

Keeping that remedy steadily in view, the President, on the one hand, will not suffer the federal authority to fall into abeyance, nor will he, on the other, aggravate existing evils by attempts at coercion which must assume the form of direct war against any of the revolutionary States. If, while he is pursuing this course, commended as it is by prudence as well as patriotism, the scourge of civil war for the first time in our history must fall upon our country during the term of his administration, that calamity will then have come through the agency, not of the government, but of those who shall have chosen to be its armed, open, and irreconcilable enemies; and he will not suffer himself to doubt that when the value of the imperilled Union shall be brought in that fearful manner home to the business and the bosoms of the American people, they will, with an unanimity that shall vindicate their wisdom and their virtue, rise up and save it.

It does not, however, at all surprise the President that the confidence in the stability of the Union, which has been heretofore so universally entertained, has been violently shocked both at home and abroad. Surprise and fear invariably go together. The period of four months which intervened between the election which designated the head of the new administration and its advent, as has already been shown, assumed the character of an interregnum, in which not only were the powers of the government paralyzed, but even its resources seemed to disappear and be forgotten.

Nevertheless, all the world know what are the resources of the United States, and that they are practically unencumbered as well as inexhaustible. It would be easy, if it would not seem invidious, to show that whatever may be the full development of the disunion movement, those resources will not be seriously diminished, and that the revenues and credit of the Union, unsurpassed in any other country, are adequate to every emergency that can occur in our own. Nor will the political commotions which await us sensibly disturb the confidence of the people in the stability of the government. It has been necessary for us to learn, perhaps the instruction has not come too soon, that vicissitudes are incident to our system and our country, as they are to all others. The panic which that instruction naturally produced is nearly past. What has hitherto been most needful for the reinvigoration of authority is already occurring. The aiders, abettors, and sympathizers with disunion, partly by their own choice and partly through the exercise of the public will, are falling out from the civil departments of the government as well as from the army and the navy. The national legislature will no longer be a distracted council. Our representatives in foreign courts and ports will henceforth speak only the language of loyalty to their country, and of confidence in its institutions and its destiny.

It is much to be deplored that our representatives are to meet abroad agents of disunion, seeking foreign aid to effect what, unaided, is already seen to be desperate. You need not be informed that their success in Great Britain would probably render their success easy elsewhere. The President does not doubt that you fully appreciate the responsibility of your mission. An honored ancestor of yours was the first to represent your whole country, after its independence was established, at the same court to which you now are accredited. The President feels assured that it will happen through no want of loyalty or of diligence on your part if you are to be the last to discharge that trust. You will have this great advantage, that from the hour when that country, so dear to us all, first challenged the notice of nations, until now, it has continually grown in their sympathy and reverence.

Before considering the arguments you are to use, it is important to indicate those which you are not to employ in executing that mission:

First. The President has noticed, as the whole American people have, with much emotion, the expressions of good will and friendship toward the United States, and of concern for their present embarrassments, which have been made on apt occasions by her Majesty and her ministers. You will make due acknowledgment for these manifestations, but at the same time you will not rely on any mere sympathies or national kindness. You will make no admissions of weakness in our Constitution, or of apprehension on the part of the government. You will rather prove, as you easily can, by comparing the history of our country with that of other states, that its Constitution and government are really the strongest and surest which have ever been erected for the safety of any people. You will in no case listen to any suggestions of compromise by this government, under foreign auspices, with its discontented citizens. If, as the President does not at all apprehend, you shall unhappily find her Majesty's government tolerating the application of the so-called seceding States, or wavering about it, you will not leave them to suppose for a moment that they can grant that application and remain the friends of the United States. You may even assure them promptly in that case that if they determine to recognize, they may at the same time prepare to enter into alliance with the enemies of this republic. You alone will represent your country at London, and you will represent the whole of it there. When you are asked to divide that duty with others, diplomatic relations between the government of Great Britain and this government will be suspended, and will remain so until it shall be seen which of the two is most strongly entrenched in the confidence of their respective nations and of mankind.

You will not be allowed, however, even if you were disposed, as the President is sure you will not be, to rest your opposition to the application of the Confederate States on the ground of any favor this administration, or the party which chiefly called it into existence, proposes to show to Great Britain, or claims that Great Britain ought to show to them. You will not consent to draw into debate before the British government any opposing moral principles which may be supposed to lie at the foundation of the controversy between those States and the federal Union

You will indulge in no expressions of harshness or disrespect, or even impatience, concerning the seceding States, their agents, or their people. But you will, on the contrary, all the while remember that those States are now, as they always heretofore have been, and, notwithstanding their temporary self-delusion, they must always continue to be, equal and honored members of this federal Union, and that their citizens throughout all political misunderstandings and alienations still are and always must be our kindred and countrymen. In short, all your arguments must belong to one of three classes, namely: First. Arguments drawn from the principles of public law and natural justice, which regulate the intercourse of equal States. Secondly. Arguments which concern equally the honor, welfare, and happiness of the discontented States, and the honor, welfare, and happiness of the whole Union. Thirdly. Arguments which are equally conservative of the rights and interests, and even sentiments of the United States, and just in their bearing upon the rights, interests, and sentiments of Great Britain and all other nations.

We freely admit that a nation may, and even ought, to recognize a new State which has absolutely and beyond question effected its independence, and permanently established its sovereignty; and that a recognition in such a case affords no just cause of offence to the government of the country from which the new State has so detached itself. On the other hand, we insist that a nation that recognizes a revolutionary State, with a view to aid its effecting its sovereignty and independence, commits a great wrong against the nation whose integrity is thus invaded, and makes itself responsible for a just and ample redress.

I will not stop to inquire whether it may not sometimes happen that an imperial government or even a federative one may not so oppress or aggrieve its subjects in a province or in a State as to justify intervention on the plea of humanity. Her Majesty's government, however, will not make a pretence that the present is such a case. The United States have existed under their present form of government seventy and more years, and during all that time not one human life has been taken in forfeiture for resistance to their authority. It must be the verdict of history that no government so just, so equal, and so humane, has ever elsewhere existed. Even the present disunion movement is confessedly without any better cause than an apprehension of dangers which, from the very nature of the government, are impossible; and speculations of aggressions, which those who know the physical and social arrangements of this continent must see at once are fallacious and chimerical.

The disunionists will, I am sure, take no such ground. They will appeal, not to the justice, or to the magnanimity, but to the cupidity and caprice of Great Britain.

It cannot need many words to show that even in that form their appeal ought to be promptly dismissed. I am aware that the revenue law lately passed by Congress is vehemently denounced in Great Britain. It might be enough to say on that subject that as the United States and Great Britain are equals in dignity, and not unequal in astuteness in the science and practice of political economy, the former have good right to regard only their own convenience, and consult their own judgment in framing their revenue laws. But there are some points in this connexion which you may make without compromising the self-respect of this government.

In the circumstances of the present case, it is clear that a recognition of the so-called Confederate nations must be deemed equivalent to a deliberate resolution by her Majesty's government that this American Union, which has so long constituted a sovereign nation, shall be now permanently dissolved, and cease to exist forever. The excuse for this resolution, fraught, if effectual, with fearful and enduring consequences, is a change in its revenue laws—a change which, because of its very nature, as well as by reason of the ever-changing course of public sentiment, must necessarily be temporary and ephemeral. British censors tell us that the new tariff is unwise for ourselves. If so, it will speedily be repealed. They say it is illiberal and injurious to Great Britain. It cannot be so upon her principles without being also injurious to ourselves, and in that case it will be promptly repealed. Besides, there certainly are other and more friendly remedies for foreign legislation that is injurious without premeditated purpose of injury, which a magnanimous government will try before it deliberately seeks the destruction of the offended nation.

The application of the so-called Confederate States, in the aspect now under consideration, assumes that they are offering, or will offer, more liberal commercial facilities than the United States can or will be disposed to concede. Would it not be wise for Great Britain to wait until those liberal facilities shall be definitely fixed and offered by the Confederate States, and then to wait further and see whether the United States may not accord facilities not less desirable?

The union of these States seventy years ago established perfectly free trade between the several States, and this, in effect, is free trade throughout the largest inhabitable part of North America. During all that time, with occasional and very brief intervals, not affecting the result, we have been constantly increasing in commercial liberality towards foreign nations. We have made that advance necessarily, because, with increasing liberality, we have at the same time, owing to controlling causes, continually augmented our revenues and increased our own productions. The sagacity of the British government cannot allow it to doubt that our natural course hereafter in this respect must continue to be the same as heretofore.

The same sagacity may be trusted to decide, first, whether the so-called Confederate States, on the emergency of a military revolution, and having no other sources of revenue than duties on imports and exports levied within the few ports they can command without a naval force, are likely to be able to persevere in practicing the commercial liberality they proffer as an equivalent for recognition. Manifestly, moreover, the negotiation which they propose to open with Great Britain implies that peace is to be preserved while the new commerce goes on. The sagacity of her Majesty's government may be trusted to consider whether that new government is likely to be inaugurated without war, and whether the commerce of Great Britain with this country would be likely to be improved by flagrant war between the southern and northern States.

Again, even a very limited examination of commercial statistics will be sufficient to show that while the staples of the disaffected States do, indeed, as they claim, constitute a very important portion of the exports of the United States to European countries, a very large portion of the products and fabrics of other regions consumed in those States are derived, and must continue to be derived, not from Europe, but from the northern States, while the chief consumption of European productions and fabrics imported into the United States takes place in these same States. Great Britain may, if her government think best, by modifying her navigation laws, try to change these great features of American commerce; but it will require something more than acts of the British Parliament and of the proposed revolutionary Congress to modify a commerce that takes its composite character from all the various soils and climates of a continent, as well as from the diversified institutions, customs and dispositions of the many communities which inhabit it.

Once more: All the speculations which assume that the revenue law recently passed by Congress will diminish the consumption of foreign fabrics and productions in the United States are entirely erroneous. The American people are active, industrious, inventive, and energetic, but they are not penurious or sordid. They are engaged with wonderful effect in developing the mineral, forest, agricultural and pastoral resources of a vast and, practically, new continent. Their wealth, individual as well as public, increases every day in a general sense, irrespective of the revenue laws of the United States, and every day also the habit of liberal—not to say profuse—expenditure grows upon them. There are changes in the nature and character of imported productions which they consume, but practically no decline in the quantity and value of imports.

It remains to bring out distinctly a consideration to which I have already adverted. Great Britain has within the last forty-five years changed character and purpose. She has become a power for production, rather than a power for destruction. She is committed, as it seems to us, to a policy of industry, not of ambition; a policy of peace, not of war. One has only to compare her present domestic condition with that of any former period to see that this new career on which she has entered is as wise as it is humane and beneficent. Her success in this career requires peace throughout the civilized world, and nowhere so much as on this continent. Recognition by her of the so-called Confederate States would be intervention and war in this country. Permanent dismemberment of the American Union in consequence of that intervention would be perpetual war—civil war. The new confederacy which in that case Great Britain would have aided into existence must, like any other new state, seek to expand itself northward, westward, and southward. What part of this continent or of the adjacent islands would be expected to remain in peace?

The President would regard it as inconsistent with his habitually high consideration for the government and people of Great Britain to allow me to dwell longer on the merely commercial aspects of the question under discussion. Indeed he will not for a moment believe that, upon consideration of merely financial gain, that government could be induced to lend its aid to a revolution designed to overthrow the institutions of this country, and involving ultimately the destruction of the liberties of the American people.

To recognize the independence of a new state, and so favor, possibly determine, its admission into the family of nations, is the highest possible exercise of sovereign power, because it affects in any case the welfare of two nations, and often the peace of the world. In the European system this power is now seldom attempted to be exercised without invoking a consultation or congress of nations. That system has not been extended to this continent. But there is even a greater necessity for prudence in such cases in regard to American States than in regard to the nations of Europe. A revolutionary change of dynasty, or even a disorganization and recombination of one or many States, therefore, do not long or deeply affect the general interests of society, because the ways of trade and habits of society remain the same. But a radical change effected in the political combinations existing on the continent, followed, as it probably would be, by moral convulsions of incalculable magnitude, would threaten the stability of society throughout the world.

Humanity has indeed little to hope for if it shall, in this age of high improvement, be decided without a trial that the principle of international law which regards nations as moral persons, bound so to act as to do to each other the least injury and the most good, is merely an abstraction too refined to be reduced into practice by the enlightened nations of Western Europe. Seen in the light of this principle, the several nations of the earth constitute one great federal republic. When one of them casts its suffrages for the admission of a new member into that republic, it ought to act under a profound sense of moral obligation, and be governed by considerations as pure, disinterested, and elevated as the general interest of society and the advancement of human nature.

The British empire itself is an aggregation of divers communities which cover a large portion of the earth and embrace one-fifth of its entire population. Some, at least, of these communities are held to their places in that system by bonds as fragile as the obligations of our own federal Union. The strain will some time come which is to try the strength of these bonds, though it will be of a different kind from that which is trying the cords of our confederation. Would it be wise for her Majesty's government, on this occasion, to set a dangerous precedent, or provoke retaliation? If Scotland and Ireland are at last reduced to quiet contentment, has Great Britain no dependency, island, or province left exposed along the whole circle of her empire, from Gibraltar through the West Indies and Canada till it begins again on the southern extremity of Africa?

The President will not dwell on the pleasing recollection that Great Britain, not yet a year ago, manifested by marked attention to the United States her desire for a cordial reunion which, all ancient prejudices and passions being buried, should be a pledge of mutual interest and sympathy forever thereafter. The United States are not indifferent to the circumstances of common descent, language, customs, sentiments, and religion, which recommend a closer sympathy between themselves and Great Britain than either might expect in its intercourse with any other nation. The United States are one of many nations which have sprung from Great Britain herself. Other such nations are rising up in various parts of the globe. It has been thought by many who have studied the philosophy of modern history profoundly, that the success of the nations thus deriving their descent from Great Britain might, through many ages, reflect back upon that kingdom the proper glories of its own great career. The government and people of Great Britain may mistake their commercial interests, but they cannot become either unnatural or indifferent to the impulses of an undying ambition to be distinguished as the leaders of the nations in the ways of civilization and humanity.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Mr. Dallas to Mr. Seward.

[Extracts.]

No. 325.]

LEGATION OF THE UNITED STATES,
London, March 22, 1861.

SIR: I have recently had the honor to receive your despatches, numbered 304 and 305.

Having noticed that the despatch No. 304, bearing date the 28th of February, respecting the newly-formed confederacy of seceded States, was in harmony as well with the views enunciated in the inaugural address on the 4th instant as with those of the presidential message of December last, I lost no time in seeking an interview with her Majesty's principal secretary of state for foreign affairs, and in stating the opposition which I am in that despatch instructed to make to any recognition by the Queen of England of the independence of those who have thus attempted to throw off their federal obligations.

The necessary opportunity was accorded to me on the day after the receipt of the despatch, yesterday. Lord John Russell then listened to the communication as one he expected; though on its purport the British cabinet, if they had interchanged opinions at all, had reached no definite conclusion as to their proper course of action.

I took the liberty to inquire whether any one professing to represent the southern republic had approached this government on the subject, and his lordship, with prompt frankness, assured me that he felt no hesitation in answering in the negative, adding that he had been shown a private letter from which he inferred that accredited ministers or commissioners, authorized to negotiate for the recognition, would shortly be sent by the provisional authorities of Montgomery.

I have the honor to be, sir, your most obedient servant,

G. M. DALLAS.

The Hon. the SECRETARY OF STATE, *Washington.*

Mr. Dallas to Mr. Seward.

[Extract.]

No. 329.] LEGATION OF THE UNITED STATES,
London, April 5, 1861.

SIR: I have the honor to acknowledge the receipt of your despatches, numbered 306 and 307, and a circular, dated the 9th of March, 1861, respecting the probable efforts of persons claiming to represent a southern provisional government to obtain the recognition of their independence by Great Britain.

Respecting this last-mentioned subject, I addressed yesterday, as soon as your instruction was received, a note to her Majesty's principal secretary of state for foreign affairs requesting an early interview, deeming it not impossible that I might be enabled to send you something by this steamer. My note, however, is yet unanswered, owing, I presume, to the absence of Lord John Russell from town. The commissioners from the new confederacy have not yet arrived, and may not arrive until late in this month. You were apprised by my despatch of the 22d ultimo (No. 325) that, on the receipt from the department of your predecessors, No. 304, I had lost no time in placing the matter properly before this government. Your own views will be communicated in greater fullness when the opportunity is allowed me.

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I have the honor to be, sir, your obedient servant,

G. M. DALLAS.

The Hon. WILLIAM H. SEWARD, *Secretary of State*

Mr. Dallas to Mr. Seward.

No. 330.] LEGATION OF THE UNITED STATES,
London, April 9, 1861.

SIR: Referring to my despatch of the 5th instant, (No. 329,) I have now the honor to state that Lord John Russell accorded me an interview at the foreign office yesterday, and enabled me to submit fully to his consideration the representations of your circular, with the inaugural address of the President.

We conversed for some time on the question of recognizing the alleged southern confederacy, of which no representative has yet appeared, and may not appear until the end of the month.

His lordship assured me with great earnestness that there was not the slightest disposition in the British government to grasp at any advantage which might be supposed to arise from the unpleasant domestic differences in the United States, but, on the contrary, that they would be highly gratified if those differences were adjusted and the Union restored to its former unbroken position.

I pressed upon him, in concluding, if that were the case—and I was quite convinced that it was—how important it must be that this country and France should abstain, at least for a considerable time, from doing what, by encouraging groundless hopes, would widen a breach still thought capable of being closed.

He seemed to think the matter not ripe for decision one way or the other, and remarked that what he had said was all that at present it was in his power to say. The coming of my successor, Mr. Adams, looked for from week to week, would doubtless be regarded as the appropriate and natural occasion for finally discussing and determining the question. In the intermediate time whatever of vigilance and activity may be necessary shall, of course, and as a high duty, be exerted.

English opinion tends rather, I apprehend, to the theory that a peaceful separation may work beneficially for both groups of States and not injuriously affect the rest of the world. They cannot be expected to appreciate the weakness, discredit, complications, and dangers which we instinctively and justly ascribe to disunion.

I beg to add that a phase of this subject will be introduced in the House of Commons to-night by Lord Alfred Churchill, and that on the 15th instant a motion favoring the recognition will be pressed by Mr. W. H. Gregory, member for Galway.

I have the honor to be, sir, your most obedient servant,

G. M. DALLAS.

Hon. William H. Seward,
Secretary of State.

PARLIAMENTARY NOTICES.

House of Lords, *Tuesday, April* 9.

Blackpool and Lytham railroad bill.

ORDERS OF THE DAY.

Middleton's estate.—Standing order No. 141 to be considered, in order to its being dispensed with, on the petition for a private bill.

Lunacy regulation bill.—Committee.

Queensland government bill.—Committee.

House of Commons, *Tuesday, April* 9.

NOTICES OF MOTIONS.

Lord Stanley.—To ask the under secretary of state for war what steps have been or are being taken to abolish purchase in the army above the rank of major, as recommended by the commission of 1856.

Lord Alfred Churchill.—To ask the secretary of state for foreign affairs whether it is the intention of her Majesty's government to recognize the Confederate States of America without a guarantee that the flag of that confederation shall not be made subservient to the slave trade, and whether it is the intention of her Majesty's government to invite a conference of the European powers on the subject, so as to prevent the African slave trade being reopened or carried on under the flag of the said confederation.

Mr. Seward to Mr. Adams.

No. 4.]

Department of State,
Washington, April 27, 1861.

Sir: A despatch has just been received from Mr. Dallas, dated the 9th of April instant, the record of which (No. 330) you doubtless will find in the archives of the legation when you shall have arrived at London.

In that paper Mr. Dallas states that he had had a conversation with Lord John Russell, the minister of foreign affairs of her Britannic Majesty's government, on the subject of a protest against any recognition of the so-called Confederate States of America, the protest having been presented to him by Mr. Dallas, in obedience to a circular letter of instructions sent to him from this department, under the date of the 9th ultimo.

Mr. Dallas represents that his lordship assured him, with great earnestness, that there was not the slightest disposition in the British government to grasp at any advantage which might be supposed to arise from the unpleasant domestic differences in the United States; but, on the contrary, that they would be highly gratified if those differences were adjusted, and the Union restored to its former unbroken position.

This, by itself, would be very gratifying to the President. Mr. Dallas, however, adds that he endeavored to impress upon his lordship how important it must be that Great Britain and France should abstain, at least for a considerable time, from doing what, by encouraging groundless hopes, would widen a breach still thought capable of being closed; but that his lordshid seemed to think the matter not ripe for decision one way or the other, and remarked that what he had already said was all that at present it was in his power to say.

When you shall have read the instructions at large which have been sent to you, you will hardly need to be told that these last remarks of his lordship are by no means satisfactory to this government. Her Britannic Majesty's government is at liberty to choose whether it will retain the friendship of this government by refusing all aid and comfort to its enemies, now in flagrant rebellion against it, as we think the treaties existing between the two countries require, or whether the government of her Majesty will take the precarious benefits of a different course.

You will lose no time in making known to her Britannic Majesty's government that the President regards the answer of his lordship as possibly indicating a policy that this government would be obliged to deem injurious to its rights and derogating from its dignity.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

C. F. Adams, Esq.,
&c., &c., &c.

Mr. Dallas to Mr. Seward.

No. 333.]

Legation of the United States,
London, May 2, 1861.

Sir: In my No. 329 I mentioned having received your Nos. 306 and 307, and "a circular of the 9th of March, 1861." As I have got no despatch from you, numbered 308, it is probable that this "circular" was considered at the department as representing that number in the series. I have now to acknowledge your several despatches, numbered, respectively, 309, 310, 311, and 312, whose contents have had my careful and prompt attention.

You have doubtless noticed that the motion of Mr. Gregory, in the House of Commons, on the recognition of the southern confederation—which motion I mentioned at the conclusion of my No. 330—underwent postponement from the 16th to the 30th ultimo, and has again been deferred a fortnight, for the reasons stated in the extract from the "Times" newspaper of the 30th April, hereto annexed.

The solicitude felt by Lord John Russell as to the effect of certain measures represented as likely to be adopted by the President induced him to request me to call at his private residence yesterday. I did so. He told me that the three representatives of the southern confederacy were here; that he had not seen them, but was not unwilling to do so, *unofficially;* that there existed an understanding between this government and that of France which would lead both to take the same course as to recognition, whatever that course might be; and he then referred to the rumor of a meditated blockade of southern ports and their discontinuance as ports of entry—topics on which I had heard nothing, and could therefore say nothing. But as I informed him that Mr. Adams had apprised me of his intention to be on his way hither, in the steamship "Niagara," which left Boston on the 1st May, and that he would probably arrive in less than two weeks, by the 12th or 15th instant, his lordship acquiesced in the expediency of disregarding mere rumor, and waiting the full knowledge to be brought by my successor.

The motion, therefore, of Mr. Gregory may be further postponed, at his lordship's suggestion.

I have the honor to be, sir, your most obedient servant,

G. M. DALLAS.

Hon. William H. Seward,
Secretary of State.

[From the London Times, April 30, 1861.]

America.—In reply to a question from Mr. W. E. Foster, Mr. Gregory stated that in deference to the expressed opinion of the foreign secretary, who had informed him that a discussion at the present moment upon the expediency of a prompt recognition of the southern confederation of America would be embarrassing to the public service, and in deference, also, to the wishes of several honorable friends of his, he should postpone for a fortnight the motion which stood in his name for to-morrow night. The noble lord at the head of the foreign office believed that the motion might then be brought forward without inconvenience.

[From the London Times, May 3, 1861.]

America.—Southern Letters of Marque.—Mr. J. Ewart asked the secretary of state for foreign affairs whether, seeing the possibility of privateering being permitted and encouraged by the southern confederation of the States of America, her Majesty's government had placed a sufficient naval force, or intended to increase it, in the Gulf of Mexico, with a view to protect British shipping and British property on board of American ships; and if privateers, sailing under the flag of an unrecognized power, would be dealt with as pirates.

Lord J. Russell said: In answer to the first part of the question of the honorable gentleman, I beg to say that her Majesty's government has directed that a naval force, for the protection of British shipping, should be sent to the coast of America. As to the latter part of the question, I will state to the house that the government has, from day to day, received the most lamentable accounts of the progress of the war in the States of America. Her Majesty's government heard the other day that the Confederated States have issued letters of marque; and to-day we have heard that it is intended there shall be a blockade of all the ports of the southern States. As to the general provisions of the law of nations on these questions, some of the points are so new as well as so important that they have been referred to the law officers of the crown for their opinion in order to guide the government in its instructions both to the English minister in America and the commander of the naval squadron. Her Majesty's government has felt that it was its duty to use every possible means to avoid taking any part in the lamentable contest now raging in the American States. (Hear, hear.) And nothing but the imperative duty of protecting British interests, in case they should be attacked, justifies the government in at all interfering. We have not been involved in any way in that contest by any act or giving any advice in the matter, and, for God's sake, let us if possible keep out of it! (Cheers.)

Mr. Adams to Mr. Seward.

[Extracts.]

No. 1.]

LEGATION OF THE UNITED STATES,
London, May 17, 1861.

SIR: I have the satisfaction to announce my safe arrival at this place on Monday evening, the 13th of this month. The steamer reached Liverpool at eleven in the morning, where I was received with the utmost kindness, and strongly solicited to remain at least one day. A large deputation of the American Chamber of Commerce waited upon me and delivered an address, to which I made a brief reply. Both have been printed in the newspapers, and I transmit a copy of the Times containing them. I could not fail to observe, in the course of these proceedings, the great anxiety and the fluctuating sentiment that prevail in regard to the probable issue of affairs in America. I could also perceive that my arrival had been expected with far more solicitude than I had anticipated. It was not disguised from me that a supposed community of interest in the cotton culture was weighing heavily in that city in favor of the disaffected; and that much misapprehension prevailed as to the relative position of parties in the United States, which it was of some consequence to dispel. To this end it had been the wish that I could have found it convenient to make a longer stay in the place.

Under other circumstances I might have so far deferred to these representations as to delay my departure for twenty-four hours. But, on the other hand, some incidental allusions to the state of things in London convinced me of the importance of losing no time on my way. Accordingly I took the next train in the afternoon, and was in a condition to proceed at once to business on the morning of Tuesday, the 14th. In the interval between my departure from Boston on the 1st and my arrival on the 14th, I discovered that some events had taken place deserving of attention. The agents of the so-called Confederate States had arrived, and, as it is supposed, through their instigation certain inquiries and motions had been initiated in Parliament for the purpose of developing the views of the ministry in regard to American affairs. I allude more particularly to the questions proposed by Mr. Gregory, of Galway, and to the motion of Mr. Horsfall, the member for Liverpool, touching the effect of the blockade proclaimed by the President against the southern ports. The answer given by Lord John Russell, in the proceedings of the 6th of May, will, of course, have attracted your attention long before these lines meet your eye. I need not say that it excited general surprise, especially among those most friendly to the government of the United States. There seemed to be not a little precipitation in at once raising the disaffected States up to the level of a belligerent power, before it had developed a single one of the real elements which constitute military efficiency outside of its geographical limits. The case of the Greeks was by no means a parallel case, for the declaration had not been made until such time had intervened as was necessary to prove, by the very words quoted by Lord John Russell from the instructions of the British government, that the power was sufficient "to cover the sea with its cruisers." Whereas in the present instance there was no evidence to show as yet the existence of a single privateer afloat. The inference seemed almost inevitable that there existed a disposition at least not to chill the hopes of those who are now drawing the very breath of life only from the expectation of sympathy in Great Britain. Yet I am not quite prepared to say that there is just ground for the idea. On the contrary, I am led to believe, from the incidental discussion afterwards held in both houses, as well as from other information, that the language of Lord John Russell was viewed as not altogether sufficiently guarded, and that the ministry as a whole are not prepared to countenance any such conclusion.

There are still other reasons which occasion in me great surprise at the action of his lordship. I need not say that I was received by my predecessor, Mr. Dallas, with the greatest kindness and cordiality. I immediately learned from him that he had declined himself to enter into any discussions on the subject, because he knew that I was already on my way out, and that I should probably come fully possessed of the views of my government, and ready to communicate them freely to the authorities here. To this end he had already concerted with Lord John Russell the earliest possible measures for my presentation and for a conference with him. In regard to the ceremony, there were circumstances attending it which, in the precise posture of affairs, give it some significance. * * On Tuesday morning Mr. Dallas called on me to accompany him on his visit to Lord John Russell, at his house, at eleven o'clock. Great was our disappointment, however, to find that he had been suddenly called away, at an early hour, to visit his brother, the Duke of Bedford, at Woburn Abbey, who was very ill, and who actually died at two o'clock in the afternoon of that day. This, of course, has put an end to all further communication with him for the present. I very much regretted this circumstance, as I should have been glad to converse with him prior to the final action upon the proclamation which was adopted by the Privy Council, and which was issued in the Gazette on the very same day. A copy of that proclamation is to be found in the Times of the 15th of May, the same paper which I have already desired to transmit for another purpose. I submit it to your consideration without comment.

Feeling doubtful how the informal arrangement of Lord John Russell might have been affected by his sudden departure, I at once addressed to him the customary announcement of my arrival, and a request for an audience of her Majesty at an early day. This brought me immediate replies from the minister and from his secretary, Mr. Hammond, confirming the appointment of Thursday (yesterday) as the time for my presentation, while the latter gentleman notified me that in the absence of Lord John Russell Lord Palmerston would be in waiting at the palace at three o'clock to present me. At the same time Mr. Dallas received a similar notification, appointing the same hour and place for his audience of leave. This arrangement was fully carried out yesterday according to the programme. Mr. Dallas was introduced first, and took his leave, after which I presented my credentials, with a few words expressive of the desire of my government to maintain the friendly relations existing between the two countries; and thus I became the recognized minister.

Thus an end is put to all the speculations which have been set afloat in some quarters for interested purposes touching the probable position of the minister of the United States at this court. I might add, that so far I have every reason to be fully satisfied with the reception which I have met with from everybody. Fortunately the news which came from the United States by the same steamer which brought me was calculated to dispel many of the illusions that had been industriously elaborated during the period of isolation of the city of Washington, and to confirm the faith of those who had permitted themselves to doubt whether all government in the United States was of any more cohesiveness than a rope of sand. Yet I cannot say that the public opinion is yet exactly what we would wish it. Much depends upon the course of things in the United States, and the firmness and energy made visible in the direction of affairs.

The morning papers contain a report of the debate in the House of Lords on the Queen's proclamation, to which I beg to call your particular attention. I cannot say that the tone of it is generally such as I could wish. There is undoubtedly a considerable influence at work here both in and out of the ministry which must be met and counteracted at as early a moment as practicable. Mr. Gregory yesterday gave notice of a postponement of the consideration of his motion until the 7th of June. The reason assigned is the situation of Lord John Russell. * * The same cause, however, which postpones this debate also delays my opportunities of conference with the minister. My wish has been to confer with him rather than with any of the subordinates, for reasons which will readily occur to you. Next week come the Whitsuntide holidays, and the adjournment of Parliament for ten days, during which little can be done with effect. I propose, nevertheless, at once to apply for a conference at as early a period as possible.

I have just received a visit from a Mr. Arrowsmith, who came on behalf of Mr. Cunard's Steamship Company, to know whether the government would desire any number of their steam vessels to further their operations of blockade. I said, in reply, that I had no instructions on that point, and could give no information, but that I was now writing and would communicate the proposal. Mr. Arrowsmith says that fifteen or twenty vessels could be furnished at a moment's notice, which, by preparations of cotton pressed between decks, could be made to sustain guns, and thus be efficient instruments in closing the southern ports.

I have the honor to be your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

P. S.—I have this moment received your despatches No. 3 and No. 4. They are of such importance that I immediately addressed a note to the foreign office requesting an early interview.

Mr. Seward to Mr. Adams.

[Extracts.]

No. 10.]

DEPARTMENT OF STATE,
Washington, May 21, 1861.

SIR: This government considers that our relations in Europe have reached a crisis, in which it is necessary for it to take a decided stand, on which not only its immediate measures, but its ultimate and permanent policy can be determined and defined. At the same time it neither means to menace Great Britain nor to wound the susceptibilities of that or any other European nation. That policy is developed in this paper.

The paper itself is not to be read or shown to the British secretary of state, nor are any of its positions to be prematurely, unnecessarily, or indiscreetly made known. But its spirit will be your guide. You will keep back nothing when the time arrives for its being said with dignity, propriety, and effect, and you will all the while be careful to say nothing that will be incongruous or inconsistent with the views which it contains.

Mr. Dallas, in a brief despatch of May 2, (No. 333,) tells us that Lord John Russell recently requested an interview with him on account of the solicitude which his lordship felt concerning the effect of certain measures represented as likely to be adopted by the President. In that conversation the British secretary told Mr. Dallas that the three representatives of the southern confederacy were then in London, that Lord John Russell had not yet seen them, but that he was not unwilling to see them unofficially. He further informed Mr. Dallas that an understanding exists between the British and French governments which would lead both to take one and the same course as to recognition. His lordship then referred to the rumor of a meditated blockade by us of southern ports, and a discontinuance of them as ports of entry. Mr. Dallas answered that he knew nothing on those topics, and therefore could say nothing. He added that you were expected to arrive in two weeks. Upon this statement Lord John Russell acquiesced in the expediency of waiting for the full knowledge you were expected to bring.

Mr. Dallas transmitted to us some newspaper reports of ministerial explanations made in Parliament.

You will base no proceedings on parliamentary debates further than to seek explanations, when necessary, and communicate them to this department.

The President regrets that Mr. Dallas did not protest against the proposed unofficial intercourse between the British government and the missionaries of the insurgents. It is due, however, to Mr. Dallas to say that our instructions had been given only to you and not to him, and that his loyalty and fidelity, too rare in these times, are appreciated.

Intercourse of any kind with the so-called commissioners is liable to be construed as a recognition of the authority which appointed them. Such intercourse would be none the less hurtful to us for being called unofficial, and it might be even more injurious, because we should have no means of knowing what points might be resolved by it. Moreover, unofficial intercourse is useless and meaningless if it is not expected to ripen into official intercourse and direct recognition. It is left doubtful here whether the proposed unofficial intercourse has yet actually begun. Your own antecedent instructions are deemed explicit enough, and it is hoped that you have not misunderstood them. You will, in any event, desist from all intercourse whatever, unofficial as well as official, with the British government, so long as it shall continue intercourse of either kind with the domestic enemies of this country. When intercourse shall have been arrested for this cause, you will communicate with this department and receive further directions.

Lord John Russell has informed us of an understanding between the British and French governments that they will act together in regard to our affairs. This communication, however, loses something of its value from the circumstance that the communication was withheld until after knowledge of the fact had been acquired by us from other sources. We know also another fact that has not yet been officially communicated to us, namely: That other European states are apprized by France and England of their agreement, and are expected to concur with or follow them in whatever measures they adopt on the subject of recognition. The United States have been impartial and just in all their conduct towards the several nations of Europe. They will not complain, however, of the combination now announced by the two leading powers, although they think they had a right to expect a more independent, if not a more friendly course, from each of them. You will take no notice of that or any other alliance. Whenever the European governments shall see fit to communicate directly with us, we shall be, as heretofore, frank and explicit in our reply.

As to the blockade, you will say that by our own laws and the laws of nature, and the laws of nations, this government has a clear right to suppress insurrection. An exclusion of commerce from national ports which have been seized by insurgents, in the equitable form of blockade, is a proper means to that end. You will not insist that our blockade is to be respected, if it be not maintained by a competent force; but passing by that question as not now a practical or at least an urgent one, you will add that the blockade is now, and it will continue to be, so maintained, and therefore we expect it to be respected by Great Britain. You will add that we have already revoked the exequatur of a Russian consul who had enlisted in the military service of the insurgents, and we shall dismiss or demand the recall of every foreign agent, consular or diplomatic, who shall either disobey the federal laws or disown the federal authority.

As to the recognition of the so-called Southern Confederacy, it is not to be made a subject of technical definition. It is, of course, direct recognition to publish an acknowledgment of the sovereignty and independence of a new power. It is direct recognition to receive its embassadors, ministers, agents or commissioners, officially. A concession of belligerent rights is liable to be construed as a recognition of them. No one of these proceedings will pass unquestioned by the United States in this case.

Hitherto, recognition has been moved only on the assumption that the so-called Confederate States are *de facto* a self-sustaining power. Now, after long forbearance, designed to sooth discontent and avert the need of civil war, the land and naval forces of the United States have been put in motion to repress insurrection. The true character of the pretended new State is at once revealed. It is seen to be a power existing in pronunciamento only. It has never won a field. It has obtained no forts that were not virtually betrayed into its hands or seized in breach of trust. It commands not a single port on the coast nor any highway out from its pretended capital by land. Under these circumstances, Great Britain is called upon to intervene and give it body and independence by resisting our measures of suppression. British recognition would be British intervention, to create within our territory a hostile State by overthrowing this republic itself.

* * * * * * * * *

As to the treatment of privateers in the insurgent service, you will say that this is a question exclusively our own. We treat them as pirates. They are our own citizens, or persons employed by our citizens, preying on the commerce of our country. If Great Britain shall choose to recognize them as lawful belligerents, and give them shelter from our pursuit and punishment, the laws of nations afford an adequate and proper remedy.

Happily, however, her Britannic Majesty's government can avoid all these difficulties. It invited us in 1856 to accede to the declaration of the congress of Paris, of which body Great Britain was herself a member, abolishing privateering everywhere in all cases and forever. You already have our authority to propose to her our accession to that declaration. If she refuse it, it can only be because she is willing to become the patron of privateering when aimed at our devastation.

These positions are not elaborately defended now, because to vindicate them would imply a possibility of our waiving them.

We are not insensible of the grave importance of this occasion. We see how, upon the result of the debate in which we are engaged, a war may ensue between the United States and one, two, or even more European nations. War in any case is as exceptional from the habits as it is revolting from the sentiments of the American people. But if it come it will be fully seen that it results from the action of Great Britain, not our own; that Great Britain will have decided to fraternize with our domestic enemy either without waiting to hear from you our remonstrances and our warnings, or after having heard them. War in defence of national life is not immoral, and war in defence of independence is an inevitable part of the discipline of nations.

The dispute will be between the European and the American branches of the British race. All who belong to that race will especially deprecate it, as they ought. It may well be believed that men of every race and kindred will deplore it. A war not unlike it between the same parties occurred at the close of the last century. Europe atoned by forty years of suffering for the error that Great Britain committed in provoking that contest. If that nation shall now repeat the same great error, the social convulsions which will follow may not be so long, but they will be more general. When they shall have ceased, it will, we think, be seen, whatever may have been the fortunes of other nations, that it is not the United States that will have come out of them with its precious Constitution altered, or its honestly obtained dominions in any degree abridged. Great Britain has but to wait a few months, and all her present inconveniences will cease with all our own troubles. If she take a different course she will calculate for herself the ultimate, as well as the immediate consequences, and will consider what position she will hold when she shall have forever lost the sympathies and affections of the only nation on whose sympathies and affections she has a natural claim. In making that calculation she will do well to remember that in the controversy she proposes to open we shall be actuated by neither pride, nor passion, nor cupidity, nor ambition; but we shall stand simply on the principle of self-preservation, and that our cause will involve the independence of nations and the rights of human nature.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 2.]

Legation of the United States,
London, May 21, 1861.

Sir: At the close of my last despatch I stated my purpose to ask an early interview with Lord John Russell. A note to that effect was immediately sent to the foreign office. An answer was received on Saturday morning, saying that his lordship would be happy to see me, if I would take the trouble to go out to Pembroke Lodge, at Richmond, where he is retired for the present, on Monday at twelve or one o'clock, or, if I preferred it, he would see me at one o'clock on that same day, (May 18.) Although it was approaching eleven o'clock when I got the answer, and the distance exceeds nine miles from the city, I replied by accepting the earlier appointment, and was probably myself at the Lodge before he received my note.

Be this as it may, I found his lordship ready to receive me, so that I proceeded at once to business. After expressing the general feeling which I believed prevailing in the United States of good will towards Great Britain, and the confident expectations I had entertained, down to the period of my arrival, that these sentiments were fully reciprocated to my government on the part of the government here, I signified my sense of disappointment in not finding this quite so unequivocally manifested as I had hoped. There were now fewer topics of direct difference between the two countries than had probably existed at any preceding time, and even these had been withdrawn from discussion at this place to be treated on the other side of the water. I therefore came out here with little to do beyond the duty of preserving the relations actually existing from the risk of being unfavorably affected by the unfortunate domestic disturbances prevailing in my own country. It was not without pain that I was compelled to admit that from the day of my arrival I had felt in the proceedings of both houses of Parliament, in the language of her Majesty's ministers, and in the tone of opinion prevailing in private circles, more of uncertainty about this than I had before thought possible. This sentiment alone would have impelled me to solicit an early interview; but I was now come under a much stronger motive. I had just received a despatch from my government, based upon a letter from Mr. Dallas, of much earlier date than any of the matters to which I had alluded. In that letter he had reported a conversation with his lordship, the close of which had been deemed so unsatisfactory that I had been directed at once to seek for a further elucidation of his meaning. It was the desire of my government to learn whether it was the intention of her Majesty's ministers to adopt a policy which would have the effect to widen, if not to make irreparable, a breach which we believed yet to be entirely manageable by ourselves.

At this point his lordship replied by saying that there was no such intention. The clearest evidence of that was to be found in the assurance given by him to Mr. Dallas in the earlier part of the conversation referred to. With regard to the other portion, against which I understood him to intimate he had already heard from Lord Lyons that the President had taken exception, he could only say that he hardly saw his way to bind the government to any specific course, when circumstances beyond their agency rendered it difficult to tell what might happen. Should the insurgent States ultimately succeed in establishing themselves in an independent position, of the probability of which he desired to express no opinion, he presumed, from the general course of the United States heretofore, that they did not mean to require of other countries to pledge themselves to go further than they had been in the habit of going themselves. He therefore, by what he had said to Mr. Dallas, simply meant to say that they were not disposed in any way to interfere.

To this I replied by begging leave to remark that, so far as my government was concerned, any desire to interfere had never been imputed to Great Britain; but in her peculiar position it was deserving of grave consideration whether great caution was not to be used in adopting any course that might, even in the most indirect way, have an effect to encourage the hopes of the disaffected in America. It had now come to this, that without support from here, the people of the United States considered the termination of this difficulty as almost entirely a question of time. Any course adopted here that would materially change that calculation would inevitably raise the most unpleasant feelings among them. For independently of the absolute influence of Great Britain, admitted to be great, the effect of any supposed inclination on her part could not fail to be extensive among the other nations of Europe. It was my belief that the insurgent States could scarcely hope for sympathy on this side of the Atlantic, if deprived of any prospect of it here. Hence anything that looked like a manifestation of it would be regarded among us as inevitably tending to develope an ultimate separation in America; and, whether intended or not, the impression made would scarcely be effaced by time. It was in this view that I must be permitted to express the great regret I had felt on learning the decision to issue the Queen's proclamation, which at once raised the insurgents to the level of a belligerent State, and still more the language used in regard to it by her Majesty's ministers in both houses of Parliament before and since. Whatever might be the design, there could be no shadow of doubt that the effect of these events had been to encourage the friends of the disaffected here. The tone of the press and of private opinion indicated it strongly. I then alluded more especially to the brief report of the lord chancellor's speech on Thursday last, in which he had characterized the rebellious portion of my country as a belligerent State, and the war that was going on as *justum bellum.*

To this his lordship replied that he thought more stress was laid upon these events than they deserved. The fact was that a necessity seemed to exist to define the course of the government in regard to the participation of the subjects of Great Britain in the impending conflict. To that end the legal questions involved had been referred to those officers most conversant with them, and their advice had been taken in shaping the result. Their conclusion had been that, as a question merely of *fact,* a war existed. A considerable number of the States, at least seven, occupying a wide extent of country, were in open resistance, whilst one or more of the others were associating themselves in the same struggle, and as yet there were no indications of any other result than a contest of arms more or less severe. In many preceding cases, much less formidable demonstrations had been recognized. Under such circumstances it seemed scarcely possible to avoid speaking of this in the technical sense as *justum bellum,* that is, a war of two sides, without in any way implying an opinion of its justice, as well as to withhold an endeavor, so far as possible, to bring the management of it within the rules of modern civilized warfare. This was all that was contemplated by the Queen's proclamation. It was designed to show the purport of existing laws, and to explain to British subjects their liabilities in case they should engage in the war. And however strongly the people of the United States might feel against their enemies, it was hardly to be supposed that in practice they would now vary from their uniformly humane policy heretofore in endeavoring to assuage and mitigate the horrors of war.

To all which I answered that under other circumstances I should be very ready to give my cheerful assent to this view of his lordship's. But I must be permitted frankly to remark that the action taken seemed, at least to my mind, a little more rapid than was absolutely called for by the occasion. It might be recollected that the new administration had scarcely had sixty days to develop its policy; that the extent to which all departments of the government had been demoralized in the preceding administration was surely understood here, at least in part; that the very organization upon which any future action was to be predicated was to be renovated and purified before a hope could be entertained of energetic and effective labor. The consequence had been that it was but just emerging from its difficulties, and beginning to develop the power of the country to cope with this rebellion, when the British government took the initiative, and decided practically that it is a struggle of two sides. And furthermore, it pronounced the insurgents to be a belligerent State before they had ever shown their capacity to maintain any kind of warfare whatever, except within one of their own harbors, and under every possible advantage. It considered them a marine power before they had ever exhibited a single privateer on the ocean. I said that I was not aware that a single armed vessel had yet been issued from any port under the control of these people. Surely this was not the case in the instance which had been relied upon in his speech by his lordship as authority for the present action. There the Greeks, however small as a people, had long been actively and effectually waging war, before the interposition of Great Britain, and, to use the language of the government, as quoted by himself, had "covered the sea with cruisers." It did seem to me therefore as if a little more time might have been taken to form a more complete estimate of the relative force of the contending parties, and of the probabilities of any long drawn issue. And I did not doubt that the view taken by me would be that substantially taken both by the government and the people of the United States. They would inevitably infer the existence of an intention more or less marked to extend the struggle. For this reason it was that I made my present application to know whether such a design was or was not entertained. For in the alternative of an affirmative answer it was as well for us to know it, as I was bound to acknowledge in all frankness that in that contingency I had nothing further left to do in Great Britain. I said this with regret, as my own feelings had been and were of the most friendly nature.

His lordship replied by an assurance that he participated in those feelings; neither did he see the action that had been thus far taken at all in the light in which I saw it. He believed that the United States, in their own previous history, had furnished examples of action taken quite as early as that now complained of. He instanced two cases. The first I do not now remember, for it seemed to me not important at the time; the other was the insurrection in Hungary under Kossuth, at which period, he believed, they had gone so far as actually to send an agent to that country with a view to recognition, and that to the great dissatisfaction and against the remonstrances of Austria.

I replied only to the second case, by remarking that the incidents attending that affair were not fresh in my mind, neither was I sure that I ever knew the whole action of the government; but it was my impression that the object of the mission was only confined to the acquisition of the facts necessary to form an opinion, and that, after they were obtained, no public step of any kind had been taken. Neither could I myself recollect an instance in which ample time had not been given by the United States for the development of events sufficiently decisive to justify any action that might have followed; for I begged it to be understood that the government did not mean at all to deny that there were cases in which recognition of a revolutionary government might be both expedient and proper. The rule was clear, that whenever it became apparent that any organized form of society had advanced so far as to prove its power to defend and protect itself against the assaults of enemies, and at the same time to manifest a capacity to maintain binding relations with foreign nations, then a measure of recognition could not be justly objected to on any side. The case was very different when such an interference should take place, prior to the establishment of the proof required, as to bring about a result which would not probably have happened but for that external agency.

And here I stop for a moment to make two remarks upon this part of the conversation. The first of these is, that I have an impression that the agent to go to Hungary, alluded to by his lordship, was Mr. Mann, the same gentleman who is now figuring in the commission of the confederates at this place. If in this I am right, we can be at no loss for his lordship's sources of information. The other remark is, that the Hungarian precedent was unquestionably one in which a very strong sympathy with the insurgent party actually existed in the United States. Are we therefore to infer a similar impulse to actuate the precipitate measure now taken here?

I did not say this to his lordship, though I might have done so; but I proceeded to observe that I had come to England prepared to present the views of my government on the general question, and that I should have done so in full but for the interposition of this more immediate despatch. At the present moment I should touch only upon one point in connexion with the acknowledgment of the insurgents even as a belligerent State. It seemed necessary to call the attention of his lordship to the fact which must be obvious to him, that as yet they had not laid any foundation for government solid enough to deserve a moment's confidence. They had undertaken to withdraw certain States from the government by an arbitrary act which they called secession, not known to the Constitution, the validity of which had at no time been acknowledged by the people of the United States, and which was now emphatically denied; but not content with this, they had gone on to substitute another system among themselves, avowedly based upon the recognition of this right of States to withdraw or secede at pleasure. With such a treaty, I would ask, where could be vested the obligation of treaties with foreign powers, of the payment of any debts contracted, or, indeed, of any act performed in good faith by the common authority for the time being established. For my own part, I fully believed that such a system could not deserve to be denominated, in any sense, a government; and therefore I could not but think any act performed here, having a tendency to invest it in the eye of the world with the notion of form and substance, could be attended only with the most complete disappointment to all the parties connected with it.

His lordship here interposed by saying that there was not, in his opinion, any occasion at present for going into this class of arguments, as the government did not contemplate taking any step that way. Should any such time arrive in the future, he should be very ready to listen to every argument that might be presented against it on the part of the United States. At this moment he thought we had better confine ourselves to the matter immediately in hand.

I then remarked that there was another subject upon which I had received a despatch, though I should not, after so long a conference, venture to do more than open the matter to-day. This was a proposal to negotiate in regard to the rights of neutrals in time of war. The necessary powers had been transmitted to me, together with a form of a convention, which I would do myself the honor to submit to his consideration if there was any disposition to pursue the matter further. His lordship then briefly reviewed the past action of the two countries since the meeting of the congress at Paris, and expressed the willingness of Great Britain to negotiate; but he seemed to desire to leave the subject in the hands of Lord Lyons, to whom he intimated that he had already transmitted authority to assent to any modification of the only point in issue which the government of the United States might prefer. On that matter he believed there would be no difficulty whatever. Under these circumstances, I shall not press the subject further at this place until I receive new directions to that effect from the department.

His lordship then observed that there were two points upon which he should be glad himself to be enlightened, although he did not know whether I was prepared to furnish the information. They both related to the President's proclamation of a blockade. The first question was upon the nature of the blockade. The coast was very extensive, stretching along the Atlantic and the Gulf of Mexico a great way. Was it the design of the United States to institute an effective blockade in its whole extent, or to make only a declaration to that effect as to the whole, and to confine the actual blockade to particular points? Considering the uniform doctrine of the government refusing to recognize the validity of mere paper blockades, he could hardly suppose they designed the latter.

To this I replied that I knew nothing directly of the President's intentions on this subject; but that inasmuch as the government had always protested against mere paper blockades, I could not suppose that it was now disposed to change its doctrine. On the contrary, I had every reason for affirming that it was the intention to make an effective blockade; and this was more practicable than at first sight might appear from the fact that there were few harbors along the coast, however great its extent, and these were not very easy of access. I thought, therefore, that even though the blockade might not be perfect, it would be sufficiently so to come within the legitimate construction of the term.

His lordship then alluded to the other point, which was, that the proclamation assigned no precise date for the commencement of the blockade, which he believed was necessary; but he presumed that that defect might be remedied at any time. To which I added that I did not doubt any such omission of form would be supplied as soon as it was pointed out.

His lordship then made some remarks upon the adoption of the tariff; to which I replied that, in my belief, that law was mainly passed as a revenue measure, with incidental protection; that it was not in any way aimed in a hostile spirit to foreign nations; and that the people of the United States would always buy from Great Britain as much as they could pay for, and generally a good deal more. This last remark raised a smile; and thus ended his lordship's series of inquiries.

Having thus disposed of these secondary questions, I returned once more to the charge, and asked him what answer I should return to the inquiry which I had been directed to make. In order to avoid any ambiguity, I took out of my pocket your despatch No. 4, and read to him the paragraph recapitulating the substance of Mr. Dallas's report of his interview, and the very last paragraph. I said that it was important to me that I should not make any mistake in reporting this part of the conversation; therefore I should beg him to furnish me with the precise language. He said that he did not himself know what he was to say. If it was expected of him to give any pledge of an absolute nature that his government would not at any future time, no matter what the circumstances might be, recognize an existing State in America, it was more than he could promise. If I wished an exact reply, my better way would be to address him the inquiry in writing. I said that I was well aware of that, but I had hoped that I might be saved the necessity of doing so. On reflection, he proposed to avoid that by offering to transmit to Lord Lyons directions to give such a reply to the President as, in his own opinion, might be satisfactory. To this arrangement I gave my assent, though not without some doubt whether I was doing right. In truth, if I were persuaded that her Majesty's government were really animated by a desire to favor the rebellion, I should demand a categorical answer; but thus far I see rather division of opinion, consequent upon the pressure of the commercial classes. Hence I preferred to give the short time demanded, as well as to place in the hands of the President himself the power to decide upon the sufficiency of the reply.

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It may be as well to state that, both in matter and manner, the conference, which has been reported as fully and as accurately as my memory would permit, was conducted in the most friendly spirit.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 4.]

LEGATION OF THE UNITED STATES,
London, May 31, 1861.

SIR:

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I have likewise to acknowledge the reception of a printed circular addressed to my predecessor, Mr. Dallas, and dated the 27th of April, 1861, transmitting the proclamation of the President declaring the blockade of the ports of Virginia and North Carolina. In this connexion it may be as well to call your attention to the manner in which these measures are viewed here, so far as it may be gathered from what is casually dropped by members of Parliament as well as what is published in the newspapers. A leading article in the Times newspaper of this morning is especially deserving of attention. It would seem from this that a scheme to overturn the old and recognized British law of blockade, through the means of a joint declaration of the European powers, somewhat after the fashion of the armed neutrality of the last century, is among the things now floating in the minds of people here. Great Britain, so long known and feared as the tyrant of the ocean, is now to transform herself into a champion of neutral rights and the freedom of navigation, even into the ports of all the world, with or without regard to the interests of the nations to whom they may belong.

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I beg to call your attention to the language used by Lord John Russell and by Mr. Gladstone in the debate in the House of Commons last evening, in relation to a passing remark of Sir John Ramsden upon American affairs on the preceding Monday. They indicate what I believe to be true, that the feeling toward the United States is improving in the higher circles here. It was never otherwise than favorable among the people at large. I was myself present and heard Sir John Ramsden on Monday night. His remark was partially cheered by the opposition, who were ready to receive anything favorably from a new convert; but I have reason to believe that it met with decided condemnation from a large majority of the members. The proof of this was established last night in the manner in which the castigation of Mr. Gladstone, which I also witnessed, was listened to and approved. Sir John seems to have gained no laurels in this conflict. The ministry sustained themselves in the division last night, which is, I presume, the decisive test for the year. I believe this may be regarded as a favorable result to the

United States. I shall reserve some general observations on the subject for a separate despatch in the early part of next week.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State.

Mr. Seward to Mr. Adams.

No. 14.]

Department of State,
Washington, June 3, 1861.

Sir: Your despatch of May 17 (No. 1) has been received.

Your speech at Liverpool was equally prudent and happy. Your promptness in passing through the town to the seat of government, although to be regretted in some respects, is, in view of the circumstances, approved.

Every instruction you have received from this department is full of evidence of the fact that the principal danger in the present insurrection which the President has apprehended was that of foreign intervention, aid, or sympathy; and especially of such intervention, aid, or sympathy on the part of the government of Great Britain.

The justice of this apprehension has been vindicated by the following facts, namely:

1. A guarded reserve on the part of the British secretary of state, when Mr. Dallas presented to him our protest against the recognition of the insurgents, which seemed to imply that, in some conditions, not explained to us, such a recognition might be made.

2. The contracting of an engagement by the government of Great Britain with that of France, without consulting us, to the effect that both governments should adopt one and the same course of procedure in regard to the insurrection.

3. Lord John Russell's announcement to Mr. Dallas that he was not unwilling to receive the so-called commissioners of the insurgents unofficially.

4. The issue of the Queen's proclamation, remarkable, first, for the circumstances under which it was made, namely, on the very day of your arrival in London, which had been anticipated so far as to provide for your reception by the British secretary, but without affording you the interview promised before any decisive action should be adopted; secondly, the tenor of the proclamation itself, which seems to recognize, in a vague manner, indeed, but does seem to recognize, the insurgents as a *belligerent* national *power.*

That proclamation, unmodified and unexplained, would leave us no alternative but to regard the government of Great Britain as questioning our free exercise of all the rights of self-defence guaranteed to us by our Constitution and the laws of nature and of nations to suppress the insurrection.

I should have proceeded at once to direct you to communicate to the British government the definitive views of the President on the grave subject, if there were not especial reasons for some little delay.

These reasons are, first, Mr. Thouvenel has informed our representative at Paris that the two governments of Great Britain and France were preparing, and would, without delay, address communications to this government concerning the attitude to be assumed by them in regard to the insurrection. Their communications are hourly expected.

Second. You have already asked, and, it is presumed, will have obtained, an interview with the British secretary, and will have been able to present the general views of this government, and to learn definitely the purposes of Great Britain in the matter, after it shall have learned how unsatisfactory the action of the British government hitherto has been to the government of the United States.

The President is solicitous to show his high appreciation of every demonstration of consideration for the United States which the British government feels itself at liberty to make. He instructs me, therefore, to say that the prompt and cordial manner in which you were received, under peculiar circumstances arising out of domestic afflictions which had befallen her Majesty and the secretary of state for foreign affairs, is very gratifying to this government.

A year ago the differences which had partially estranged the British and the American people from each other seemed to have been removed forever. It is painful to reflect that that ancient alienation has risen up again under circumstances which portend great social evils, if not disaster, to both countries.

Referring you to previous instructions, and reserving further directions until we shall have your own report of the attitude of the British government as defined by itself for our consideration,

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 5.]

Legation of the United States,
London, June 7, 1861.

Sir: I have the honor to acknowledge the receipt of your several despatches, No. 7, of the 11th of May, with copies of the correspondence relating to the slave trade and to San Domingo; No. 8, of the 20th, enclosing the commission of Neil McLachlan, esq., as consul at Leith; and No. 9, of the 21st, enclosing the commission of Edward Leavenworth, esq., as consul at Sydney, New South Wales. These commissions have been duly transmitted to her Majesty's secretary for foreign affairs, with the customary request for recognition. The earlier papers have been carefully read, and will be made the subject of consideration at the next conference, which I purpose to ask of his lordship at an early day.

I think I can report with confidence a considerable amelioration of sentiment here towards the government of the United States. This may be partly ascribed to the impression made by the news received of vigorous and effective measures in America, and partly to a sense that the preceding action of her Majesty's ministers has been construed to mean more than they intended by it. It cannot be denied that it had opened a most grave question touching the use that might be made of all the ports of Great Britain as a shelter for captures by privateers purporting to be authorized by the rebellious States. After a careful examination of the subject, I had come to the conclusion that, without some further positive action, the preceding practice in this country would authorize the retention of such captures until condemned as prizes in some admiralty court set up by the insurgents at home and the sale of them afterwards. The effect of this, in giving them encouragement, can scarcely be estimated. It would at once enlist in their behalf most of the daring and desperate adventurers of every nation, whose sole object is plunder, and would initiate a struggle between a community of planters, who have nothing to lose on the ocean, and a commercial nation which whitens every sea with the sails of a peaceful navigation. That so serious a consequence as this was ever intended to flow from the precipitate act of the government here I did not believe. Hence it was with great satisfaction that I learned, on Monday, that the question would be proposed on that day by Mr. Forster in the House of Commons, which you will have seen before this in the record of the proceedings of that body, and that it would be fully answered by Lord John Russell on behalf of her Majesty's ministers. This answer, as since made, may be regarded as satisfactory, so far as it closes the door to one bad effect of the proclamation; but it does not remove the main difficulty of putting the legitimate and the spurious authority in the same category. Although in practice the operation is favorable to the former, in theory the admission of equality is equally vicious. The only consolation is to be found in the evident desire betrayed by the government here to avoid in any way a collision with the United States or any direct encouragement of the insurgents.

This is the day assigned for the consideration of the motion of Mr. Gregory, the member for Galway. I understand that he means to enter largely into the question of recognition of the confederates, and that he will probably be answered as fully. It is stated to me that the ministry are willing to have the discussion go on. For obvious reasons I do not think it advisable to attend the debate myself; but I shall take measures to obtain the best information of the actual state of feeling in the House from personal observation, and to transmit my own conclusions in the next despatch. Unfortunately it will be necessary to close the present one before evening, in order to be in time for the steamer.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 16.]

DEPARTMENT OF STATE,
Washington, June 8, 1861.

SIR: I enclose a copy of a note of this date addressed to Lord Lyons, which will dispel any uncertainty which the British government may entertain in regard to our recognition of a rule of international law which they may deem important.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, June 8, 1861.

MY LORD: I have the honor to acknowledge the receipt of your note of the 5th instant, with the accompanying papers, relative to a claim in the case of the cargo of the bark Winifred, a part of which is represented to belong to British subjects.

In reply, I regret that at this juncture I do not feel at liberty to interfere in the case, as it is understood that the usual proceedings in the prize court at New York have been set on foot against the vessel and her cargo.

If, however, that court shall be satisfied of the ownership by British subjects of the part of the cargo claimed, it cannot be doubted that restitution will be decreed, as this government recognizes the right of the property of a friendly nation in the vessels of an insurgent to be exempted from condemnation.

The papers which accompanied your note are herewith returned.

I have the honor to be, with the highest consideration, your lordship's most obedient servant,

WILLIAM H. SEWARD.

The Right Honorable LORD LYONS, *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 15.]

DEPARTMENT OF STATE,
Washington, June 8, 1861.

SIR: I have the pleasure of acknowledging the receipt of your despatch of May 21, (No. 2,) which contains a report of the conversation which you had held with Lord John Russell on the 18th day of that month.

This government insists, as all the world might have known that it must and would, under all circumstances, insist, on the integrity of the Union, as the chief element of national life. Since, after trials of every form of forbearance and conciliation, it has been rendered certain and apparent that this paramount and vital object can be saved only by our acceptance of civil war as an indispensable condition, that condition, with all its hazards and deplorable evils, has not been declined. The acceptance, however, is attended with a strong desire and fixed purpose that the war shall be as short and accompanied by as little suffering as possible. Foreign intervention, aid, or sympathy in favor of the insurgents, especially on the part of Great Britain, manifestly could only protract and aggravate the war. Accordingly, Mr. Dallas, under instructions from the President, in an interview conceded to him by the British secretary of state for foreign affairs, presented our protest against any such intervention.

Lord John Russell answered with earnestness that there was not in the British government the least desire to grasp at any advantages which might be supposed to arise from the unpleasant domestic differences in the United States, but, on the contrary, that they would be highly gratified if those differences were adjusted, and the Union restored to its former unbroken position.

Mr. Dallas then, as he reported to us, endeavored to impress upon his lordship how important it must be that Great Britain and France should abstain, at least for a considerable time, from doing what, by encouraging groundless hopes, (of the insurgents,) would widen a breach still thought capable of being closed; but his lordship seemed to think that the matter was not ripe for decision, one way or another, and remarked that what he had already said was all that at present it was in his power to say.

Upon this report you were instructed to inform her Britannic Majesty's government that the President regarded the reply made by his lordship to Mr. Dallas's suggestion as possibly indicating a policy which this government would be obliged to deem injurious to its rights, and derogating from its dignity. This government thought the reply of the secretary unjustifiably abrupt and reserved. That abruptness and reserve unexplained, left us under a seeming necessity of inferring that the British government might be contemplating a policy of encouragement to the insurgents which would widen the breach here which we believed it possible to heal if such encouragement should not be extended. A vital interest obliged the United States to seek explanation, or to act on the inference it thus felt itself obliged to adopt.

Your despatch of the 21st of May, (No. 2,) which has just been received, shows how you have acquitted yourself of the duty imposed upon you. After stating our complaint to his lordship, you very properly asked an elucidation of his meaning in the reply to which exception had been taken by us, and very rightly, as we think, asked whether it was the intention of her Majesty's ministers to adopt a policy which would have the effect to widen, if not to make irreparable, a breach which we believe yet to be entirely manageable by ourselves. His lordship disclaimed any such intention. A friendly argument, however, then arose between the secretary and yourself concerning what should be the form of the answer to us which his lordship could properly give, and which would, at the same time, be satisfactory to this government. The question was finally solved in the most generous manner by the proposition of his lordship that he would instruct Lord Lyons to give such a reply to the President as might, in his own opinion, be satisfactory, which proposition you accepted.

I hasten to say, by direction of the President, that your course in this proceeding is fully approved. This government has no disposition to lift questions of even national pride or sensibility up to the level of diplomatic controversy, because it earnestly and ardently desires to maintain peace, harmony, and cordial friendship with Great Britain. Lord John Russell's proposition, by authorizing the President to put the most favorable construction possible upon the response which was deemed exceptionable, removes the whole difficulty without waiting for the intervention of Lord Lyons. You will announce this conclusion to Lord John Russell, and inform him that the settlement of the affair in so friendly a spirit affords this government sincere satisfaction.

Your conversation with the British secretary incidentally brought into debate the Queen's late proclamation, (which seems to us designed to raise the insurgents to the level of a belligerent state;) the language employed by her Majesty's ministers in both houses of Parliament, the tone of the public press, and of private opinion, and especially a speech of the lord chancellor, in which he had characterized the insurgents as a belligerent State, and the civil war which they are waging against the United States as *justum bellum.*

The opinions which you expressed on these matters, and their obvious tendency to encourage the insurrection and to protract and aggravate the civil war, are just, and meet our approbation. At the same time, it is the purpose of this government, if possible, consistently with the national welfare and honor; to have no serious controversy with Great Britain at all; and if this shall ultimately prove impossible, then to have both the defensive position and the clear right on our side. With this view, this government, as you were made aware by my despatch No. 10, has determined to pass over without official complaint the publications of the British press, manifestations of adverse individual opinion in social life, and the speeches of British statesmen, and even those of her Majesty's ministers in Parliament, so long as they are not authoritatively adopted by her Majesty's government. We honor and respect the freedom of debate, and the freedom of the press. We indulge no apprehensions of danger to our rights and interests from any discussion to which they may be subjected, in either form, in any place. Sure as we are that the transaction now going on in our country involves the progress of civilization and humanity, and equally sure that our attitude in it is right, and no less sure that our press and our statesmen are equal in ability and influence to any in Europe, we shall have no cause to grieve if Great Britain shall leave to us the defence of the independence of nations and the rights of human nature.

My despatch No. 14 presented four distinct grounds on which this government apprehended a policy on the part of her Majesty's government to intervene in favor of the insurgents, or to lend them aid and sympathy. The first ground was the reserve practiced by the British secretary for foreign affairs in his conversation with Mr. Dallas, referred to in the earlier part of this despatch. I have already stated that the explanations made and offered by Lord John Russell have altogether removed this ground from debate.

The second was the contracting of an engagement by the government of Great Britain with that of France, without consulting us, to the effect that both governments would adopt one and the same course of proceeding in regard to the subject of intervention in our domestic affairs. You were informed in my despatch No. 10 that, as this proceeding did not necessarily imply hostile feelings towards the United States, we should not formally complain of it, but should rest content with a resolution to hold intercourse only with each of those States severally, giving due notice to both that the circumstance that a concert between the two powers in any proposition each might offer to us would not modify in the least degree the action of the United States upon it.

The third ground was Lord John Russell's announcement to Mr. Dallas that he was not unwilling to receive the so-called commissioners of the insurgents unofficially. On this point you already have instructions, to which nothing need now be added.

The fourth ground is the Queen's proclamation, exceptionable first for the circumstances under which it was issued, and secondly, for the matter of that important state paper.

My despatch No. 14 apprised you of our reason for expecting a direct communication on this subject from her Majesty's government. I reserve instructions on this fourth ground, as I did in that despatch, expecting to discuss it fully when the promised direct communication shall bring it authoritatively before this government in the form chosen by the British government itself.

My silence on the subject of the defence of that proclamation made by Lord John Russell in his conversation with you being grounded on that motive for delay, it is hardly necessary to say that we are not to be regarded as conceding any positions which his lordship assumed, and which you so ably contested on the occasion referred to in your despatch. Your argument on that point is approved by the President.

The British government having committed the subject of the proposed modifications of international law on the subject of the right of neutrals in maritime war to Lord Lyons before you were prepared by our instructions to present the subject to that government, no objection is now seen to the discussion of that matter here. No communication on any subject herein discussed has yet been received from Lord Lyons. Despatches which you must have received before this time will have enabled you to give entire satisfaction to his lordship concerning the blockade. We claim to have a right to close the ports which have been seized by insurrectionists, for the purpose of suppressing the attempted revolution, and no one could justly complain if we had done so decisively and peremptorily. In resorting to the milder and very lenient form of the blockade, we have been governed by a desire to avoid imposing hardships unnecessarily onerous upon foreign as well as domestic commerce. The President's proclamation was a notice of the intention to blockade, and it was provided that ample warning should be given to vessels approaching and vessels seeking to leave the blockaded ports before capture should be allowed. The blockade from the time it takes effect is everywhere rendered actual and effective.

Your remarks on the subject of the late tariff law were judicious. The subject of revenue policy in the altered condition of affairs is not unlikely to receive the attention of Congress.

We are gratified by the information you have given us of the friendly spirit which has thus far marked the deportment and conversation of the British government in your official intercourse with it.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

LONDON, *June* 8, 1861.

DEAR SIR: I send herewith a copy of the London Times of this morning, containing an account of the termination of Mr. Gregory's movement.

Subsequent events only can now do anything to improve the prospect of the confederates at this court. Yours, &c.,

C. F. ADAMS.

HON. W. H. SEWARD, *Washington, D. C.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 8.]

LEGATION OF THE UNITED STATES,
London, June 14, 1861.

SIR: I have to acknowledge the reception of your despatches No. 10, dated the 21st of May, and No. 11, dated on the 24th, with a copy of a letter from Mr. O. Vandenburgh, and also a printed circular from the department of the 20th of May, relating to purchases made here of articles contraband of war.

The intelligence of the feeling expressed in America upon the reception of the Queen's proclamation was fully expected by me, so that it excited no surprise, and much of the course of your argument in your despatch will be found to have been already adopted in my conference with Lord John Russell, an account of which is before this time in your hands.

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However this may be, my duty was plain. I applied for an interview with Lord John Russell, and he appointed one for ten o'clock on Wednesday, the 12th, at his own house. After some slight preliminary talk, I observed to him that I had been instructed to press upon her Majesty's government the expediency of early action on the subject of privateering; that in the present state of excitement in the United States consequent upon the measures which it had felt it necessary to adopt, I did not know of anything which would be so likely to allay it as an agreement on this point. His lordship then said that he did not know whether I knew it, but the fact was that Mr. Dayton had made a proposition to France for negotiation on the basis of the articles as agreed upon in Paris. France had communicated the fact through her minister, the Compte de Flahault; and he intimated that there had been a cabinet conversation on the subject, without arriving at a decision. I then referred to what had passed at our former interview. I mentioned my proposal to negotiate, and the inclination shown by his lordship to leave the subject with Lord Lyons, with authority to arrange the only point in dispute as the government at Washington might desire. There I had left the matter. His lordship replied that he did not mean to be quite so understood. His intention was to say, that having agreed upon the three articles, he should be ready to consent to the total omission of the fourth article, if that would be agreeable at Washington. I said that I had not so understood him, and from my present recollection, I am confident that my report of his language was not incorrect.

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I next approached the most delicate portion of my task. I descanted upon the irritation produced in America by the Queen's proclamation, upon the construction almost universally given to it, as designed to aid the insurgents by raising them to the rank of a belligerent State, and upon the very decided tone taken by the President in my despatches in case any such design was really entertained. I added that from my own observation of what had since occurred here, I had not been able to convince myself of the existence of such a design. But it was not to be disguised that the fact of the continued stay of the pseudo commissioners in this city, and still more the knowledge that they had been admitted to more or less interviews with his lordship, was calculated to excite uneasiness. Indeed, it had already given great dissatisfaction to my government. I added, as moderately as I could, that in all frankness any further protraction of this relation could scarcely fail to be viewed by us as hostile in spirit, and to require some corresponding action accordingly.

His lordship then reviewed the course of Great Britain. He explained the mode in which they had consulted with France, prior to any action at all, as to the reception of the deputation from the so-called Confederate States. It had been the custom both in France and here to receive such persons unofficially for a long time back. Poles, Hungarians, Italians, &c., &c., had been allowed interviews, to hear what they had to say. But this did not imply recognition in their case any more than in ours. He added that he had seen the gentlemen once some time ago, and once more some time since; he had no expectation of seeing them any more.

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I shall continue my relations here until I discover some action apparently in conflict with it, or receive specific orders from the department dictating an opposite course.

I ventured to repeat my regret that the proclamation had been so hastily issued, and adverted to the fact that it seemed contrary to the agreement said to have been proposed by Mr. Dallas and concurred in by his lordship, to postpone all action until I should arrive, possessed with all the views of the new administration. But still, though I felt that much mischief had ensued in the creation of prejudices in the United States, not now easy to be eradicated, I was not myself disposed in any part of my conduct to aggravate the evil. My views had been much modified by opportunities of more extended conversation with persons of weight in Great Britain, by the improved tone of the press, by subsequent explanations in Parliament, by the prohibition of all attempts to introduce prizes into British ports, and, lastly, by the unequivocal expression of sentiment in the case of Mr. Gregory when the time came for him to press his motion of recognition. I trusted that nothing new might occur to change the current again, for nothing was so unfortunate as the effect of a recurrence of reciprocal irritations, however trifling, between countries, in breaking up the good understanding which it was always desirable to preserve.

His lordship agreed to this, but remarked that he could not but think the complaint of the proclamation, though natural enough perhaps at this moment, was really ill founded. He went over the ground once more which he occupied in the former interview—the necessity of doing something to relieve the officers of their ships from the responsibility of treating these persons as pirates if they met them on the seas. For his part, he could not believe the United States would persevere in the idea of hanging them, for it was not in consonance with their well-known character. But what would be their own situation if they should be found practicing upon a harsher system than the Americans themselves.

Here was a very large territory—a number of States—and people counted by millions, who were in a state of actual war. The fact was undeniable and the embarrassment unavoidable. Under such circumstances the law officers of the crown advised the policy which had been adopted. It was designed only as a preventive to immediate evils. The United States should not have thought hard of it. They meant to be entirely neutral.

I replied that we asked no more than that. We desired no assistance. Our objection to this act was that it was practically not an act of neutrality. It had depressed the spirits of the friends of the government. It had raised the courage of the insurgents. We construed it as adverse, because we could not see the necessity of such immediate haste. These people were not a navigating people. They had not a ship on the ocean. They had made no prizes, so far as I knew, excepting such as they had caught by surprises. Even now, I could not learn that they had fitted out anything more than a few old steamboats, utterly unable to make any cruise on the ocean, and scarcely strong enough to bear a cannon of any calibre. But it was useless to go over this any more. The thing was now done. All that we could hope was that the later explanations would counteract the worst effects that we had reason to apprehend from it ; and, at any rate, there was one compensation, the act had released the government of the United States from responsibility for any misdeeds of the rebels towards Great Britain. If any of their people should capture or maltreat a British vessel on the ocean, the reclamation must be made only upon those who had authorized the wrong. The United States would not be liable.

I added that I could not close the interview without one word upon a subject on which I had no instructions. I saw by the newspapers an account of a considerable movement of troops to Canada. In our situation this would naturally excite attention at home, and I was therefore desirous to learn whether they were ordered with any reference to possible difficulties with us. His lordship said that the country had been denuded of troops for some time back, and it was regarded only as a proper measure of precaution, in the present disordered condition of things in the United States, to restore a part of them. He said he did not know but what we might do something. He intimated a little feeling of uneasiness at the mission of Mr. Ashmun, without any notice given to them of his purposes ; and he likewise said something about a threat uttered by yourself to Lord Lyons to seize a British vessel on Lake Ontario without ceremony. To this I replied, that inasmuch as I had understood Mr. Ashmun's mission had been made known to the governor of Canada, it did not seem to me that it could be of much concealed significance; and that as to the other matter, if there was any reality in the threat, it surely was an odd way of proceeding to furnish at once the warning in time to provide against its execution.

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I did not touch at all on the subject of the blockade, as referred to in your despatch No. 10, for the reason that I do not now understand the government as disposed in any way to question its validity or to obstruct it. On the contrary, his lordship, incidentally referring to it in this interview, said that instructions had been sent out to the naval officers in command to respect it, and never themselves to seek to enter any of the ports blockaded, unless from some urgent necessity to protect British persons or property.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Mr. Seward to Mr. Adams.

No. 21.]

Department of State,
Washington, June 19, 1861.

Sir: On the 15th day of June instant, Lord Lyons, the British minister, and Mr. Mercier, the French minister, residing here, had an appointed interview with me. Each of those representatives proposed to read to me an instruction which he had received from his government, and to deliver me a copy if I should desire it. I answered, that in the present state of the correspondence between their respective governments and that of the United States, I deemed it my duty to know the characters and effects of the instructions, respectively, before I could consent that they should be officially communicated to this department. The ministers therefore, confidentially, and very frankly, submitted the papers to me for preliminary inspection. After having examined them so far as to understand their purport, I declined to hear them read, or to receive official notice of them.

I proceed now to give you our reasons for this course, that you may, if you find it necessary or expedient, communicate them to the government of Great Britain.

When we received official information that an understanding was existing between the British and French governments that they would take one and the same course concerning the insurrection which has occurred in this country, involving the question of recognizing the independence of a revolutionary organization, we instructed you to inform the British government that we had expected from both of those powers a different course of proceeding. We added, however, that insomuch as the proposed concert of action between them did not necessarily imply any unfriendliness of purpose or of disposition, we should not complain of it, but that we should insist in this case, as in all others, on dealing with each of those powers alone, and that their agreement to act together would not at all affect the course which we should pursue. Adhering to this decision, we have not made the concert of the two powers a ground of objection to the reading of the instruction with which Lord Lyons was charged.

That paper purports to contain a decision at which the British government has arrived, to the effect that this country is divided into two belligerent parties, of which this government represents one, and that Great Britain assumes the attitude of a neutral between them.

This government could not, consistently with a just regard for the sovereignty of the United States, permit itself to debate these novel and extraordinary positions with the government of her Britannic Majesty; much less can we consent that that government shall announce to us a decision derogating from that sovereignty, at which it has arrived without previously conferring with us upon the question. The United States are still solely and exclusively sovereign within the territories they have lawfully acquired and long possessed, as they have always been. They are at peace with all the world, as, with unimportant exceptions, they have always been. They are living under the obligations of the law of nations, and of treaties with Great Britain, just the same now as heretofore; they are, of course, the friend of Great Britain, and they insist that Great Britain shall remain their friend now just as she has hitherto been. Great Britain, by virtue of these relations, is a stranger to parties and sections in this country, whether they are loyal to the United States or not, and Great Britain can neither rightfully qualify the sovereignty of the United States, nor concede, nor recognize any rights, or interests, or power of any party, State, or section, in contravention to the unbroken sovereignty of the federal Union. What is now seen in this country is the occurrence, by no means peculiar, but frequent in all countries, more frequent even in Great Britain than here, of an armed insurrection engaged in attempting to overthrow the regularly constituted and established government. There is, of course, the employment of force by the government to suppress the insurrection, as every other government necessarily employs force in such cases. But these incidents by no means constitute a state of war impairing the sovereignty of the government, creating belligerent sections, and entitling foreign States to intervene or to act as neutrals between them, or in any other way to cast off their lawful obligations to the nation thus for the moment disturbed. Any other principle than this would be to resolve government everywhere into a thing of accident and caprice, and ultimately all human society into a state of perpetual war.

We do not go into any argument of fact or of law in support of the positions we have thus assumed. They are simply the suggestions of the instinct of self-defence, the primary law of human action, not more the law of individual than of national life.

This government is sensible of the importance of the step it takes in declining to receive the communication in question. It hopes and believes, however, that it need not disturb the good relations which have hitherto subsisted between the two countries which, more than any other nations, have need to live together in harmony and friendship.

We believe that Great Britain has acted inadvertently, and under the influence of apprehensions of danger to her commerce, which either are exaggerated or call for fidelity on her part to her habitual relations to the United States, instead of a hasty attempt to change those relations.

Certainly this government has exerted itself to the utmost to prevent Great Britain from falling into the error of supposing that the United States could consent to any abatement of their sovereignty in the present emergency. It is, we take leave to think, the common misfortune of the two countries that Great Britain was not content to wait before despatching the instruction in question, until you had been received by her Majesty's government, and had submitted the entirely just, friendly, and liberal overtures with which you were charged.

Although the paper implies, without affirming, that the insurgents of this country possess some belligerent rights, it does not name, specify, or indicate one such right. It confines itself to stating what the British government require or expect the United States to do. Virtually, it asks us to concede to Great Britain the principles laid down in the declaration of the congress held at Paris in 1856. It asks indeed a little less, certainly nothing more or different from this. The British government ask this of us to-day, the 15th of June, in ignorance of the fact that we had, so early as the 25th of April, instructed you to tender, without reservation, to Great Britain our accession, pure and simple, to that declaration. We have all the while, since that instruction was sent forth, been ready, as we now are ready, to accede to the declaration, where and whenever Great Britain may be ready and willing to receive it. The argument contained in the instruction seems, therefore, to have been as unnecessary and irrelevant as it is unacceptable. Lord Lyons thinks that his instructions do not authorize him to enter into convention with us here. You will inform the government of Great Britain of the fact, and, if they prefer, you will enter into the convention at London.

Of course it is understood that the concessions herein made do not affect or impair the right of the United States to suppress the insurrection as well by maritime as by land operations, and for this purpose to exclude all commerce from such of the ports as may have fallen into the hands of the insurgents, either by closing the ports directly or by the more lenient means of a blockade, which we have already adopted.

It is thus seen that, in the present case, there is only an embarrassment resulting from the similar designs of the two governments to reach one common object by different courses without knowledge of each others dispositions in that respect. There is nothing more. We propose, as a nation at peace, to give to Great Britain as a friend what she as a neutral demands of us, a nation at war. We rejoice that it happens so. We are anxious to avoid all causes of misunderstanding with Great Britain; to draw closer, instead of breaking, the existing bonds of amity and friendship. There is nothing good or great which both nations may not expect to attain or effect if they may remain friends. It would be a hazardous day for both the branches of the British race when they should determine to try how much harm each could do the other.

We do not forget that, although thus happily avoiding misunderstanding on the present occasion, Great Britain may in some way hereafter do us wrong or injury by adhering to the speculative views of the rights and duties of the two governments which she has proposed to express. But we believe her to be sincere in the good wishes for our welfare, which she has so constantly avowed, and we will not, therefore, suffer ourselves to anticipate occasions for difference which, now that both nations fully understand each other, may be averted or avoided.

One point remains. The British government while declining, out of regard to our natural sensibility, to propose mediation for the settlement of the differences which now unhappily divide the American people, have nevertheless expressed, in a very proper manner, their willingness to undertake the kindly duty of mediation, if we should desire it. The President expects you to say on this point to the British government, that we appreciate this generous and friendly demonstration; but that we cannot solicit or accept mediation from any, even the most friendly quarter. The conditions of society here, the character of our government, the exigencies of the country, forbid that any dispute arising among us should ever be referred to foreign arbitration. We are a republican and American people. The Constitution of our government furnishes all needful means for the correction or removal of any possible political evil. Adhering strictly as we do to its directions, we shall surmount all our present complications, and preserve the government complete, perfect, and sound, for the benefit of future generations. But the integrity of any nation is lost, and its fate becomes doubtful, whenever strange hands, and instruments unknown to the Constitution, are employed to perform the proper functions of the people, established by the organic laws of the State.

Hoping to have no occasion hereafter to speak for the hearing of friendly nations upon the topics which I have now discussed, I add a single remark by way of satisfying the British government that it will do wisely by leaving us to manage and settle this domestic controversy in our own way.

The fountains of discontent in any society are many, and some lie much deeper than others. Thus far this unhappy controversy has disturbed only those which are nearest the surface. There are others which lie still deeper that may yet remain, as we hope, long undisturbed. If they should be reached, no one can tell how or when they could be closed. It was foreign intervention that opened and that alone could open similar fountains in the memorable French revolution.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES F. ADAMS, *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 9.]

LEGATION OF THE UNITED STATES,
London, June 21, 1861.

SIR: * * * * * * * *

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I have not deemed it necessary to ask a special interview to communicate to Lord John Russell the sense entertained by the President of the manner of my reception here, as directed in yours of the 3d of June. Presuming it to be altogether likely that another despatch, prepared after the reception of my No. 2, is now near at hand, I have preferred to wait and see if that may not give me other matter to submit at the same time.

The intelligence received from the United States of the effect produced by the reception of the Queen's proclamation has not been without its influence upon opinion here. Whilst people of all classes unite in declaring that such a measure was unavoidable, they are equally earnest in disavowing any inferences of want of good will which may have been drawn from it. They affect to consider our complaints as very unreasonable, and are profuse in their professions of sympathy with the government in its present struggle. This is, certainly, a very great change from the tone prevailing when I first arrived. It is partly to be ascribed to the accounts of the progress of the war, but still more to the publications in the London *Times* of the letters of its special correspondent. There is no longer any floating doubt of the capacity of the government to sustain itself, or any belief that the insurgents will make their own terms of accommodation. The idea still remains quite general that there will never be any actual conflict, and it is connected in many cases with an apprehension that the reunion may be cemented upon the basis of hostile measures against Great Britain. Indeed, such has been the motive hinted at by more than one person of influence as guiding the policy of the President himself. Whenever such a suggestion has been made to me, I have been careful to discountenance it altogether, and to affirm that the struggle was carried on in good faith, and from motives not subject to be affected by mere considerations of policy, or by temporary emotions. More especially have I endeavored to disavow any "arrière pensée" which has the effect to confirm the suspicion of our sincerity, I regret to say, by far too much disseminated. * * * * *

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I am now earnestly assured on all sides that the sympathy with the government of the United States is general; that the indignation felt in America is not founded in reason; that the British desire only to be perfectly neutral, giving no aid nor comfort to the insurgents. I believe that this sentiment is now growing to be universal. It inspires her Majesty's ministers, and is not without its effect on the opposition. Neither party would be so bold as to declare its sympathy with a cause based upon the extension of slavery, for that would at once draw upon itself the indignation of the great body of the people. But the development of a positive spirit in the opposite direction will depend far more upon the degree in which the arm of the government enforces obedience than upon any absolute affinity in sentiments. Our brethren in this country, after all, are much disposed to fall in with the opinion of Voltaire, that "Dieu est toujours sur le coté des gros canons." General Scott and an effective blockading squadron will be the true agents to keep the peace abroad, as well as to conquer one at home. In the meanwhile the self-styled commissioners of the insurgents have transferred their labors to Paris, where, I am told, they give out what they could not venture publicly to say here, that this government will recognize them as a State. The prediction may be verified, it is true; but it is not now likely to happen, under any other condition than the preceding assent of the United States.

I have the honor to be your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 10.]

Legation of the United States,
London, June 28, 1861.

Sir: * * * * * * * *

My interview with his lordship was intended only to express to him the views entertained by the President, as communicated to me in your despatches No. 14 and No. 15 of the reports made by me of our first conference. His lordship said that he had just received despatches as late as the 15th, communicating the same information, and that Lord Lyons had learned, through another member of the diplomatic corps, that no further expression of opinion on the subject in question would be necessary. This led to the most frank and pleasant conversation which I have yet had with his lordship, in which we reviewed the various points of difficulty that had arisen in a manner too desultory to admit of reporting, excepting in the general result. * *

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I added that I believed the popular feeling in the United States would subside the moment that all the later action on this side was known. There was but a single drawback remaining, which was what I could not but regard as the inopportune despatch of the Great Eastern with the troops for Canada. He said that this was a mere precaution against times of trouble.

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His lordship then said something about difficulties in New Granada, and the intelligence that the insurgents had undertaken to close several of their ports. But the law officers here told him that this could not be done as against foreign nations, excepting by the regular form of blockade. He did not know what we thought about it, but he had observed that some such plan was said to be likely to be adopted, at the coming meeting of Congress, in regard to the ports of those whom we considered as insurgents. I replied that such was one of the several projects reported at the last session of Congress, to which I was a member, but I had heard some serious constitutional objections raised against it. My own opinion was that the blockade would be persevered in, which would obviate all difficulty.

On the whole, I think I can say that the relations of the two countries are gradually returning to a more friendly condition. My own reception has been all that I could desire. I attach value to this, however, only as it indicates the establishment of a policy that will keep us at peace during the continuance of the present convulsion.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 32.]

DEPARTMENT OF STATE,
Washington, July 1, 1861.

SIR: Your despatch No. 8 (dated June 14) has been received.

My despatch, No. 21, of 19th ultimo, has anticipated the matter you have discussed in the paper before me. It remains only to say that while we would prefer to add Mr. Marcy's amendment, exempting private property of non-belligerents from confiscation in maritime war, and desire you to stipulate to that effect if you can, yet we are, nevertheless, ready and willing to accede to the declaration of the congress of Paris, if the amendment cannot be obtained. In other words, we stand on the instructions contained in my aforesaid despatch.

We, as you are well aware, have every desire for a good understanding with the British government. It causes us no concern that the government sends a naval force into the Gulf and a military force into Canada. We can have no designs hostile to Great Britain so long as she does not, officially or unofficially, recognize the insurgents or render them aid or sympathy. We regard the measures of precaution on her part, to which I have alluded, as consequences of the misunderstanding of our rights and her own real relation towards us that she seemed precipitately to adopt, before she heard the communication with which you were charged on our behalf. These consequences may be inconvenient to herself, but are not all occasion of irritation to the United States. Under present circumstances, the more effectually Great Britain guards her possessions and her commerce in this quarter the better we shall be satisfied. If she should change her course and do us any injury, which we have not the least idea now that she purposes to do, we should not be deterred from vindicating our rights and our unbroken sovereignty against all the armies and navies that she could send here.

Before the Queen's proclamation was issued, and at the moment when privateers were invited and a naval force announced as being organized by the insurrectionists, it was reported to this government that the iron steamer Peerless, lying at Toronto, had been sold to insurgents to be used as a privateer to prey upon our commerce, and that she was, nevertheless, to pass under British papers and the British flag down the St. Lawrence to be delivered over to a pirate commander in the open sea. It was said that the governor general declined to interfere. I asked Lord Lyons to request the governor general of Canada to look into the facts, and prevent the departure of the vessel if he should find the report to be true. Lord Lyons answered that he had no authority to do so. I then said that I should direct our naval forces to seize and detain the vessel if they should have good reason to believe the facts reported to be true, and to refer the parties interested to this government. I did this at once, and his lordship protested. Afterwards, as we understand, the governor general did interfere, and the Peerless was prevented from sailing until the danger of her being converted into a pirate was prevented. Here the matter ended. Certainly the British government could not expect us to permit the St. Lawrence to become a harbor for buccaneers. Had the vessel been seized or detained we should at once have avowed the act and tendered any satisfaction to the British government if it should appear that the character of the vessel had been misunderstood.

Mr. Ashmun went to Canada to watch and prevent just such transactions as the sale or fitting out of the Peerless for a pirate would have been. It was not supposed that his visit there would be thought objectionable, or could give any uneasiness to the British government. Lord Lyons here viewed the subject in a different light and complained of it. I instantly recalled Mr. Ashmun.

These are the two grievances presented to you by Lord John Russell. I trust that the British government will be satisfied that in both cases we were only taking care that the peace of the two countries should not be disturbed through the unlawful action of covetous and ill-disposed persons on the border which separates them.

I conclude with the remark that the British government can never expect to induce the United States to acquiesce in her assumed position of this government as divided in any degree into two powers for war more than for peace. At the same time, if her Majesty's government shall continue to practice absolute forbearance from any interference in our domestic affairs, we shall not be captious enough to inquire what name it gives to that forbearance, or in what character it presents itself before the British nation in doing so. We hold ourselves entitled to regard the forbearance as an act of a friendly power, acting unconsciously of a domestic disturbance among us, of which friendly States can take no cognizance. On this point our views are not likely to undergo any change. In maintaining this position we are sure we do nothing derogating from the dignity of the British government, while we inflexibly maintain and preserve the just rights and the honor of the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 14.] LEGATION OF THE UNITED STATES,
London, July 12, 1861.

SIR: Your despatches, from No. 2 to No. 25, inclusive, were received at this office early in the present week.

I have read the first of these papers, containing further instructions to me, and dated on the 21st of June, with close attention. My prevailing feeling has been one of profound surprise at the course of this government throughout the present difficulty. First. It prepares, in the form of an instruction to Lord Lyons, a paper to be presented to you, among other things "virtually asking you to concede the principles laid down in the declaration of the congress held in Paris in 1856." Secondly. When in obedience to my instructions I propose to offer a project to Lord John Russell, actually designed to do the very thing desired, I am told the directions have already been sent out to Lord Lyons to arrange the matter on the basis proposed by the American government of the three articles, omitting the fourth altogether. Thirdly. Lord Lyons expresses the opinion to you that his instructions do not authorize him to enter into a convention with you in the United States. Fourthly. When, concurrently with these events, Mr. Dayton proposes to negotiate on the same basis with France, I am informed that this proposal has been communicated to the ministry here, and that no definite conclusion had been arrived at. I must say that a more remarkable series of misunderstandings has seldom come within my observation.

I now propose to bring this matter to a distinct issue. To this end I have addressed a letter to Lord John Russell, to know whether, under the renewed instructions of the present despatch, he is disposed to open the negotiation here. The advantage of this will be that I shall get an answer in writing, which will admit of no misconception. A copy of that answer will be forwarded so soon as it is received.

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I have the honor to be, sir, your obedient servant,
CHARLES FRANCIS ADAMS.

HON. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 17.] LEGATION OF THE UNITED STATES,
London, July 19, 1861.

SIR: Your despatch, No. 32, dated the 1st of July, relating to the communications between the two governments respecting the declaration of the convention at Paris, in 1856, reached me soon after I had addressed a formal letter to Lord John Russell, designed to bring the matter to a definite point. In my No. 14, dated on the 12th, I stated the fact that I had sent such a letter, and I promised that I would forward his lordship's answer so soon as it should be received. I now transmit copies of my letter and of the answer.

It is not a little singular that his lordship's memory of what passed at our first interview on this subject should differ so widely from mine. It would seem, by his account, that he had been the first to mention the instructions to Lord Lyons to propose a negotiation on the subject of the declaration of Paris, and that I had thereupon expressed the opinion that it would be well to leave it in your hands, in which opinion he fully concurred.

On my side, I am quite certain that the discussion which actually took place between us involved a wholly different class of topics of a very critical nature, and never touched upon the declaration of Paris, until it had exhausted itself on the others. It was by that time late, and I then opened the new subject by remarking that there would be no time to do more than to allude to it at this conference. I first mentioned the fact that I had instructions to propose a negotiation upon the disputed point of the Paris declarations, and the necessary powers to perfect an agreement, if her Majesty's government were disposed to enter into it. It was this proposal that elicited the explanations of his lordship as to what had been already done, and the expression of an opinion that the instructions sent to Lord Lyons were of such a kind as to make some agreement on your side so very likely as to render any treatment of the same matter here unadvisable; and it was then that I concurred in his opinion.

As things now stand, perhaps this difference of recollection in the present instance may not be material. But there might be cases in which it would be of so much moment that I think hereafter I shall prefer, upon essential points, to conduct the affairs of this legation a little more in writing than I have heretofore thought necessary.

At the hour appointed in his note, I waited upon his lordship for the first time, at his official residence in Downing street. After comparing our respective remembrance of the facts in dispute, I went on to repeat what I maintained I had at first proposed, to wit: that I was ready to negotiate if her Majesty's government were so disposed. To that end I had brought my powers, and also the project of a convention, copies of both of which papers I offered to leave with him. He remarked that at this stage it was not necessary to look at the powers. The other one he took and examined. The first remark which he made was that it was essentially the declaration of Paris. He had never known until now that the government of the United States were disposed to accede to it. He was sure that I had never mentioned it. To this I assented, but observed that the reason why I had not done so was that my government had directed me to make a preliminary inquiry, and that was to know whether her Majesty's ministers were disposed to enter into any negotiation at all. It was because of my understanding his lordship to say that he preferred to leave the matter with Lord Lyons, that I had considered negotiation here to be declined. I had also heard, through his lordship, of a proposition since made by Mr. Dayton on this subject to the French government, and which had been communicated to him, that led me to suppose the matter might be taking its shape at Paris. His lordship observed that Mr. Dayton's proposal was nothing more than a repetition of that made by Mr. Marcy, which they were not willing to accede to. I then said that Mr. Marcy's amendment was undoubtedly the first wish of my government. I also had instructions to press it, if there was the smallest probability of success; but I understood that this matter had been definitively settled. His lordship signified his assent to this remark, and added that I might consider the proposition as inadmissible. He would therefore take the copy of the project of a convention which I had offered him, for the purpose of submitting it to the consideration of his colleagues in the cabinet, and let me know when he should be ready to meet again.

In the course of conversation, I took the occasion to remark upon that passage of his lordship's note to me which related to the manner in which other states had signified their adherence to the declaration. I called his attention to the fact that, whatever might be the course elsewhere, the peculiar structure of our government required some distinct form of agreement or convention to be made with foreign States upon which the Senate could exercise their legitimate authority of confirmation or rejection. He seemed at once to understand the force of this observation, and to assent to the necessity. Yet I foresaw at the time the difficulty in which it would place the British government in its relations with the other parties to the convention at Paris. The reply of his lordship, this moment come to hand, a copy of which is herewith submitted, explains it fully, and leaves the matter in the same state of suspense that it was in before.

Under these circumstances, and presuming it to be the wish of the President that no time be lost, I shall write to Mr. Dayton, at Paris, to know whether he considers himself authorized to proceed to conclude a similar arrangement with the French government; if so, I shall try to go on without waiting for further instructions; if not, I shall hold myself ready to act here so soon as this difficulty shall have been removed elsewhere.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WM. H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Lord John Russell.

LEGATION OF THE UNITED STATES,
London, July 11, 1861.

MY LORD: From the tenor of the last despatches received from the Department of State at Washington, I am led to suppose that there has been some misunderstanding in regard to the intentions of her Majesty's government respecting a proposal to negotiate upon the basis of the declaration of the congress held at Paris in 1856. In the first conversation which I had the honor to hold with your lordship, so long ago as the 18th of May last, in answer to an offer then made by myself, under instructions from my government, I certainly understood your lordship to say that the subject had already been committed to the care of Lord Lyons, at Washington, with authority to accept the proposition of the government of the United States, adopting three articles of the declaration at Paris, and to drop the fourth altogether. For this reason you preferred not to enter into the question on this side of the water. I am now informed that Lord Lyons thinks his instructions do not authorize him to enter into convention with the authorities at Washington, and am instructed to apprise her Majesty's government of the fact.

Under these circumstances, I am directed once more to renew the proposition here, and to say that, if agreeable to your lordship, I am prepared to present to your consideration a project of a convention at any moment which it may be convenient to you to appoint.

Seizing the occasion to renew the assurance of my highest consideration, I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Honorable Lord JOHN RUSSELL,
&c., &c., &c.

Lord John Russell to Mr. Adams.

FOREIGN OFFICE, *July* 13, 1861.

SIR: I have just had the honor to receive your letter dated the 11th instant.

In the first conversation I had the honor to hold with you, on the 18th of

May, I informed you that instructions had been sent to Lord Lyons to propose to the government of the United States to adopt the second, third, and fourth articles of the declaration of Paris, dropping the first altogether.

You informed me that you had instructions on the same subject; but I understood you to express an opinion, in which I fully concurred, that it would be well to leave the question in the hands of the Secretary of State at Washington.

Lord Lyons had instructions to make an agreement with the government of the United States, but he had no express authority to sign a convention.

The States who have adhered to the declaration of Paris have generally, if not invariably, done so by despatches or notes, and not by conventions.

As, however, you have been instructed to present to her Majesty's government, for consideration, a project of a convention, I shall be happy to see you at the foreign office at three o'clock to-day, for the purpose of receiving that project.

I request you to receive the assurance of my highest consideration, and have the honor to be, sir, your most obedient servant,

J. RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Lord John Russell to Mr. Adams.

Foreign Office, *July* 18, 1861.

Sir: Upon considering your propositions of Saturday last I have two remarks to make.

First. The course hitherto followed has been a simple notification of adherence to the declaration of Paris by those states which were not originally parties to it.

Secondly. The declaration of Paris was one embracing various powers, with a view to general concurrence upon questions of maritime law, and not an insulated engagement between two powers only.

Her Majesty's government are willing to waive entirely any objection on the first of these heads, and to accept the form which the government of the United States prefers.

With regard to the second, her Majesty's government are of opinion that they should be assured that the United States are ready to enter into a similar engagement with France, and with other maritime powers who are parties to the declaration of Paris, and do not purpose to make singly and separately a convention with Great Britain only.

But as much time might be required for separate communications between the government of the United States and all the maritime powers who were parties to or have acceded to the declaration of Paris, her Majesty's government would deem themselves authorized to advise the Queen to conclude a convention on this subject with the President of the United States so soon as they shall have been informed that a similar convention has been agreed upon, and is ready for signature, between the President of the United States and the Emperor of the French, so that the two conventions might be signed simultaneously and on the same day.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 42.]

DEPARTMENT OF STATE,
Washington, July 21, 1861.

SIR: Your despatch of June 28, No. 10, has been received.

I have already, in a previous communication, informed you that this government has not been disturbed by the action of the British authorities in sending three regiments into Canada, nor by the announcement of the coming of British armed vessels into American waters. These movements are certainly not very formidable in their proportions; and we willingly accept the explanation that they proceed from merely prudential motives.

Doubtless it had been better if they had not been made. But what government can say that it never acts precipitately, or even capriciously. On our part the possibility of foreign intervention, sooner or later, in this domestic disturbance is never absent from the thoughts of this government. We are, therefore, not likely to exaggerate indications of an emergency for which we hold ourselves bound to be in a measure always prepared.

Another subject which, according to your report, was discussed in your late interview with Lord John Russell demands more extended remarks. I refer to the portion of your despatch which is in these words: "His lordship then said something about difficulties in New Grenada, and the intelligence that the insurgents there had passed a law to close their ports. But the law officers here told him that this could not be done as against foreign nations, except by the regular form of a blockade. He did not know what we thought about it; but he had observed that some such plan was said to be likely to be adopted at the coming meeting of Congress in regard to the ports of those whom we considered as insurgents."

Much as I deprecate a reference in official communications of this kind to explanations made by ministers in Parliament, not always fully or accurately reported, and always liable to be perverted when applied to cases not considered when the explanations are given, I nevertheless find it necessary, by way of elucidating the subject, to bring into this connexion the substance of a debate which is said to have taken place in the House of Commons on the 27th of June last, and which is as follows:

Mr. H. Berkly asked the secretary of state for foreign affairs whether her Majesty's government recognized a notification given by Señor Martin, minister plenipotentiary to this court from the Grenadian confederation, better known as the Republic of New Grenada, which announces a blockade of the ports of Rio Hacha, Santa Marta, Savanilla, Carthagena, and Zaporte, and which government did her Majesty's government recognize in the so-called Grenadian confederation.

Lord John Russell said the question is one of considerable importance. The government of New Grenada has announced, not a blockade, but that certain ports of New Grenada are to be closed. The opinion of her Majesty's government, after taking legal advice, is, that it is perfectly competent for the government of a country in a state of tranquillity to say which ports shall be open to trade and which shall be closed; but in the event of insurrection or civil war in that country, it is not competent for its government to close the ports that are *de facto* in the hands of the insurgents, as that would be an invasion of international law with regard to blockade. Admiral Milne, acting on instructions from her Majesty's government, has ordered the commanders of her Majesty's ships not to recognize the closing of their ports.

Since your conversation with Lord John Russell, and also since the debate which I have extracted occurred, the Congress of the United States has by law asserted the right of this government to close the ports in this country which have been seized by the insurgents.

I send you herewith a copy of the enactment. The connecting by Lord John Russell of that measure when it was in prospect with what had taken place in regard to a law of New Granada, gives to the remarks which he made to you a significance that requires no especial illustration. If the government of the United States should close their insurrectionary ports under the new statute, and Great Britain should, in pursuance of the intimation made, disregard the act, no one can suppose for a moment that the United States would acquiesce. When a conflict on such a question shall arrive between the United States and Great Britain, it is not easily to be seen what maritime nation could keep aloof from it. It must be confessed, therefore, that a new incident has occurred increasing the danger that what has hitherto been, and, as we think, ought to be, a merely domestic controversy of our own, may be enlarged into a general war among the great maritime nations. Hence the necessity for endeavoring to bring about a more perfect understanding between the United States and Great Britain for the regulation of their mutual relations than has yet been attained.

In attempting that important object I may be allowed to begin by affirming that the President deprecates, as much as any citizen of either country or any friend of humanity throughout the world can deprecate, the evil of foreign wars, to be superinduced, as he thinks unnecessarily, upon the painful civil conflict in which we are engaged for the purpose of defending and maintaining our national authority over our own disloyal citizens.

I may add, also, for myself, that however otherwise I may at any time have been understood, it has been an earnest and profound solicitude to avert foreign war; that alone has prompted the emphatic and sometimes, perhaps, impassioned remonstrances I have hitherto made against any form or measure of recognition of the insurgents by the government of Great Britain. I write in the same spirit now; and I invoke on the part of the British government, as I propose to exercise on my own, the calmness which all counsellors ought to practise in debates which involve the peace and happiness of mankind.

The United States and Great Britain have assumed incompatible, and thus far irreconcilable, positions on the subject of the existing insurrection.

The United States claim and insist that the integrity of the republic is unbroken, and that their government is supreme so far as foreign nations are concerned, as well for war as for peace, over all the States, all sections, and all citizens, the loyal not more than the disloyal, the patriots and the insurgents alike. Consequently they insist that the British government shall in no way intervene in the insurrection, or hold commercial or other intercourse with the insurgents in derogation of the federal authority.

The British government, without having first deliberately heard the claims of the United States, announced, through a proclamation of the Queen, that it took notice of the insurrection as a civil war so flagrant as to divide this country into two belligerent parties, of which the federal government constitutes one and the disloyal citizens the other; and consequently it inferred a right of Great Britain to stand in an attitude of neutrality between them.

It is not my purpose at this time to vindicate the position of the United States, nor is it my purpose to attempt to show to the government of Great Britain that its position is indefensible.

The question at issue concerns the United States primarily, and Great Britain only secondarily and incidentally. It is, as I have before said, a question of the integrity, which is nothing less than the life of the republic itself.

The position which the government has taken has been dictated, therefore, by the law of self-preservation. No nation animated by loyal sentiments and inspired by a generous ambition can even suffer itself to debate with parties within or without a policy of self-preservation. In assuming this position and the policy resulting from it, we have done, as I think, just what Great Britain herself must, and therefore would do if a domestic insurrection should attempt to detach Ireland, or Scotland, or England from the United Kingdom, while she would hear no argument nor enter into any debate upon the subject. Neither adverse opinions of theoretical writers, nor precedents drawn from the practice of other nations, or, even if they could be, from her own, would modify her course, which would be all the more vigorously followed if internal resistance should fortify itself with alliances throughout the world. This is exactly the case now with the United States.

So, for obvious reasons, I refrain from argument to prove to the government of Great Britain the assumed error of the position it has avowed.

First. Argument from a party that maintains itself to be absolutely right, and resolved in no case to change its convictions, becomes merely controversial. Secondly. Such argument would be only an indirect way of defending our own position, which is unchangeable. Thirdly. The position of Great Britain has been taken upon the assumption of a certain degree of probability of success by the insurgents in arms; and it must be sooner or later abandoned, as that probability shall diminish and ultimately cease, while in any case that circumstance does not affect our position or the policy which we have adopted. It must, therefore, be left to Great Britain to do what we have done, namely, survey the entire field, with the consequences of her course deemed by us to be erroneous, and determine as those consequences develope themselves how long that course shall be pursued.

While, however, thus waiving controversy on the main point, I am tempted by a sincere conviction that Great Britain really must desire, as we do, that the peace of the world may not be unnecessarily broken, to consider the attitude of the two powers, with a view to mutual forbearance, until reconciliation of conflicting systems shall have become in every event impossible.

The British government will, I think, admit that so soon as its unexpected, and, as we regard it, injurious position assumed in the Queen's proclamation became known to us, we took some pains to avert premature or unnecessary collision, if it could be done without sacrificing any part of the sovereignty which we had determined in every event to defend. We promptly renewed the proposition which, fortunately for both parties, we had tendered before that proclamation was issued, to concede as one whole undivided sovereignty to Great Britain, as a friend, all the guarantees for her commerce that she might claim as a neutral from this government as one of her two imagined belligerents. It seemed to us that these two great and kindred nations might decline to be dogmatic, and act practically with a view to immediate peace and ultimate good understanding.

So, on the other hand, it is my duty to admit, as I most frankly do, that the directions given by the British government that our blockade shall be respected, and that favor or shelter shall be denied to insurgent privateers, together with the disallowance of the application of the insurgent commissioners, have given us good reason to expect that our complete sovereignty, though theoretically questioned in the Queen's proclamation, would be practically respected. Lord Lyons, as you are aware, proposed to read to me a despatch which he had received from his government, affirming the position assumed in the Queen's proclamation, and deducing from that position claims as a neutral to guarantees of safety to British commerce less than those we had, as I have already stated, offered to her as a friend. I declined, as you have been advised, to hear the communication, but nevertheless renewed through you, as I consistently could, the offer of the greater guarantees before tendered.

The case then seemed to me to stand thus: The two nations had, indeed, failed to find a common ground or principle on which they could stand together; but they had succeeded in reaching a perfect understanding of the nature and extent of their disagreement, and in finding a line of mutual, practical forbearance. It was under this aspect of the positions of the two governments that the President thought himself authorized to inform Congress on its coming together on the 4th of July instant, in extra session that the sovereignty of the United States was practically respected by all nations.

Nothing has occurred to change this condition of affairs, unless it be the attitude which Lord John Russell has indicated for the British government in regard to an apprehended closing of the insurrectionary ports, and the passage of the law of Congress which authorizes that measure in the discretion of the President.

It is my purpose not to anticipate or even indicate the decision which will be made, but simply to suggest to you what you may properly and advantageously say while the subject is under consideration. First. You will, of course, prevent misconception of the measure by stating that the law only authorizes the President to close the ports in his discretion, according as he shall regard exigencies now existing or hereafter to arise.

Secondly. The passage of the law, taken in connexion with attendant circumstances, does not necessarily indicate a legislative conviction that the ports ought to be closed, but only shows the purpose of Congress that the closing of the ports, if it is now or shall become necessary, shall not fail for want of power explicitly conferred by law. When, on the 13th of April last, disloyal citizens defiantly inaugurated an armed insurrection by the bombardment of Fort Sumter, the President's constitutional obligation to suppress the insurrection became imperative.

But the case was new, and had not been adequately provided for by express law. The President called military and naval forces into activity, instituted a blockade, and incurred great expense, for all which no direct legal provisions existed. He convened Congress at the earliest possible day to confirm these measures, if they should see fit.

Congress, when it came together, confronted these facts. It has employed itself less in directing how and in what way the Union shall be maintained, than in confirming what the President had already done, and in putting into his hands more ample means and greater power than he has exercised or asked.

The law in question was passed in this generous and patriotic spirit. Whether it shall be put into execution to-day or to-morrow, or at what time, will depend on the condition of things at home and abroad, and a careful weighing of the advantages of so stringent a measure against those which are derived from the existing blockade.

Thirdly. You may assure the British government that no change of policy now pursued, injuriously affecting foreign commerce, will be made from motives of aggression against nations which practically respect the sovereignty of the United States, or without due consideration of all the circumstances, foreign as well as domestic, bearing upon the question. The same spirit of forbearance towards foreign nations, arising from a desire to confine the calamities of the unhappy contest as much as possible, and to bring it to a close by the complete restoration of the authority of the government as speedily as possible, that have hitherto regulated the action of the government will continue to control its counsels.

On the other hand, you will not leave it at all doubtful that the President fully adheres to the position that this government so early adopted, and which I have so continually throughout this controversy maintained; consequently he fully agrees with Congress in the principle of the law which authorizes him to close the ports which have been seized by the insurgents, and he will put into execution and maintain it with all the means at his command, at the hazard of whatever consequences, whenever it shall appear that the safety of the nation requires it.

I cannot leave the subject without endeavoring once more, as I have so often done before, to induce the British government to realize the conviction which I have more than once expressed in this correspondence, that the policy of the government is one that is based on interests of the greatest importance, and sentiments of the highest virtue, and therefore is in no case likely to be changed, whatever may be the varying fortunes of the war at home or the action of foreign nations on this subject, while the policy of foreign States rests on ephemeral interests of commerce or of ambition merely. The policy of these United States is not a creature of the government but an inspiration of the people, while the policies of foreign States are at the choice mainly of the governments presiding over them. If, through error, on whatever side this civil contention shall transcend the national bounds and involve foreign States, the energies of all commercial nations, including our own, will necessarily be turned to war, and a general carnival of the adventurous and the reckless of all countries, at the cost of the existing commerce of the world, must ensue. Beyond that painful scene upon the seas there lie, but dimly concealed from our vision, scenes of devastation and desolation which will leave no roots remaining out of which trade between the United States and Great Britain, as it has hitherto flourished, can ever again spring up.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Mr. Adams to Mr. Seward.

[Extracts.]

No. 20.]

LEGATION OF THE UNITED STATES,
London, July 26, 1861.

SIR: At the close of my despatch, No. 17, on the subject of my last conference with Lord John Russell, I mentioned my intention to write to Mr. Dayton, at Paris, to know whether he felt authorized to proceed in a simultaneous negotiation on the subject of the declaration of the congress at Paris. I have now to report that I executed my purpose on the 19th instant.

On the evening of the 24th I received a note from Mr. Dayton announcing his arrival in town and his wish to confer with me upon this matter.

Yesterday morning I had the pleasure of a full and free conversation with him, in the course of which we carefully compared our respective instructions and the action taken under them.

I am very glad he has taken the trouble to come over to see me, for I confess that I was a little embarrassed by not knowing the precise nature of his proposal to the French government at the time when I heard of it from Lord John Russell. Had I been informed of it I should perhaps have shaped my own course a little differently. So I doubt not that he would have been pleased to know more exactly my own proceedings as well as the more specific character of my instructions. An hour's interview has had the effect to correct our impressions better than could have been accomplished by an elaborate correspondence.

I can now perfectly understand as well as enter into the reasons which prompted his proposal of the declaration of Paris, connected as it was with the modification first suggested by Mr. Marcy. There can be no doubt that the attempt to secure such an extension of the application of the principle contained in the first point of that declaration was worth making, on the part of the new administration, particularly at a place where there was no reason to presume any disinclination to adopt it. Neither did the reply of Mr. Thouvenel entirely preclude the hope of ultimate success, so far as the disposition of France may be presumed.

The obstacles, if any there are, must be inferred to have been thought to exist elsewhere. And an advance could be expected only when the efforts to remove them had been applied with effect in the proper quarter. It was, therefore, both natural and proper for Mr. Dayton, after having made his offer, and received such an answer, to wait patiently until it should become apparent that such efforts had been made, and made without success.

There can be no doubt that the opposition to this modification centres here. Independently of the formal announcement of Lord John Russell to me that the proposition was declined, I have, from other sources of information, some reason to believe that it springs from the tenacity of a class of influential persons, by their age and general affinities, averse to all sudden variations from established ideas. Such people are not to be carried away by novel reasoning, however forcible. We have cause to feel the presence of a similar power at home, though in a vastly reduced degree.

All modifications of the public law, however beneficent, naturally meet with honest resistance in these quarters for a time. It is to be feared that this may have the effect of defeating, at this moment, the application of the noble doctrines of the declaration of Paris, in the full expansion of which they are susceptible. But to my mind the failure to reach that extreme point will not justify the United States in declining to accept the good which is actually within their grasp. The declaration of the leading powers of civilized Europe, made at Paris in 1856, engrafted upon the law of nations for the first time great principles for which the government of the United States had always contended against some of those powers, and down to that time had contended in vain.

That great act was the virtual triumph of their policy all over the globe. It was the sacrifice, on the part of Great Britain, of notions she had ever before held to with the most unrelenting rigidity. It would therefore seem as if any reluctance to acknowledge this practical amount of benefit, obtained on the mere ground that something remained to require, was calculated only to wither the laurels gained by our victory.

It would almost seem like a retrograde tendency to the barbarism of former ages. Surely it is not in the spirit of the reformed government in America to give countenance to any such impression. Whatever may have been the character of the policy in later years, the advent of another and a better power should be marked by a recurrence to the best doctrines ever proclaimed in the national history. And if it so happen that they are not now adopted by others to the exact extent that we would prefer, the obvious course of wisdom would seem to be to accept the good which can be obtained, and patiently to await another opportunity when a continuance of exertions in the same direction may enable us to secure everything that is left to be desired.

I think that Mr. Dayton has waited only to be convinced that his proposed modification cannot be secured before he acts upon the authority given him to accede to the declaration of Paris, pure and simple.

On my part, I have apprised him of the answer made to me by Lord John Russell at our last conference. But he wishes some evidence upon which he can rely a little more securely than a report of conversation. And considering the remarkable discrepancy in the recollection of the conferences with his lordship which has thus far taken place, I am not surprised. In order to meet this difficulty he has addressed to me a letter of inquiry, which I propose to answer. At the same time I design to address a letter to his lordship recapitulating the portion of his conversation that is in question, and informing him that, *on the assumption that I understood him right,* Mr. Dayton consents to proceed. This will, of course, render it necessary for him to explain himself, if the fact should be otherwise.

Mr. Dayton will, of course, communicate directly with the department as to the later measures which he may think proper to take.

You will have been already informed by the newspapers of the changes which the ministry has undergone in consequence of the necessity imposed upon Lord Herbert by his failing health to retire from his post. As a consequence, Lord John Russell has been called to the House of Lords, though retaining his official station, and some shifting of other places has occurred. The only new appointment is that of Sir Robert Peel. * * *

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But I have not time at the close of this communication to enter into any speculations so intimately connected with a general view of the state of affairs in the other countries of Europe as well as in the United States. I shall therefore reserve what views I may have to submit on this subject to a future opportunity.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

[Confidential.]

No 46.]

Department of State,
Washington, July 26, 1861.

Sir: My despatch, No. 42, dated July 21, was delayed beyond the proper mail day by circumstances entirely beyond my control. I trust, however, that it will still be in time.

Our army of the Potomac on Sunday last met a reverse equally severe and unexpected. For a day or two the panic which had produced the result was followed by a panic that seemed to threaten to demoralize the country. But that evil has ceased already. The result is already seen in a vigorous reconstruction upon a scale of greater magnitude and increased enthusiasm.

It is not likely that anything will now be done here, hastily or inconsiderately, affecting our foreign relations.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

[Confidential.]

No. 49.] Department of State,
Washington, July 29, 1861.

Sir: Your despatch of July 12, 1861, No 14, has been received.

Your proposition of making a distinct appeal to the British government on the subject of the issue between it and this government, upon the questions so long discussed, is approved. We shall look with much interest for the answer of that government.

You will hear of a reverse of our arms in Virginia. The exaggerations of the result have been as great as the public impatience, perhaps, which brought it about. But the affair will not produce any serious injury. The strength of the insurrection is not broken, but it is not formidable. The vigor of the government will be increased, and the ultimate result will be a triumph of the Constitution. Do not be misled by panic reports of danger apprehended for the capital.

Some important points in your despatch will be treated of in another paper.

I am, sir, respectfully, your obedient servant,
WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

No. 22.] Legation of the United States,
London, August 2, 1861.

Sir: I have the honor to transmit the copy of a note addressed by me, on the 29th of July last, to Lord John Russell, and likewise a copy of his lordship's reply. I must frankly admit that I do not understand the meaning of the last paragraph.

I have transmitted a copy of his lordship's note to Mr. Dayton. I doubt not that it will be deemed by him so far satisfactory as to induce him to take the necessary measures for a simultaneous negotiation as soon as the customary arrangements with the French government can be made

I have the honor to be, sir, your obedient servant,
CHARLES FRANCIS ADAMS.

Hon. Wm. H. Seward,
Secretary of State, Washington, D. C.

Legation of the United States,
London, July 29, 1861.

My Lord: I have the honor now to inform your lordship that, in consonance with the intention expressed in my note of the 19th instant, I have written to Mr. Dayton, at Paris, touching the extent of his powers to negotiate upon the same basis proposed by me to you, with the government of France, to which he is accredited. I have also to say that since the date of my writing I have had the pleasure to converse personally with him as well as to receive a letter from him in answer to my inquiry.

Mr. Dayton informs me that, some time since, he made a proposal to the French government to adopt the declaration of the congress of Paris in 1856, with an addition to the first clause, in substance the same with that heretofore proposed by his predecessor, Mr. Mason, under instructions given by Mr. Marcy, then the Secretary of State of the United States. To that proposal he received an answer from the French minister of foreign affairs, declining to consider the proposition, not for any objection entertained against it, but because it was a variation from the terms of the original agreement requiring a prior reference of it to the other parties to that convention. This answer does not, in his opinion, make the ultimate acceptance of his addition impossible, and he does not feel as if he ought to abandon the support of what he considers as so beneficent an amendment to the original plan until he has reason to despair of success. He has therefore requested to know of me whether I have reason to believe perseverance in this direction to be fruitless.

For my part I entirely concur in the view entertained by Mr. Dayton of the value of this amendment. I also know so well the interest that my government takes in its adoption as to be sure that it would refuse to justify a further procedure on our part which was not based upon a reasonable certainty that success is not attainable, at least at the present moment. I have, therefore, ventured to state to Mr. Dayton my belief that I have that certainty. I have therefore mentioned to him, what I have likewise communicated to the proper department of the government of the United States, the fact that in the last conference I had the honor to hold with your lordship, allusion having been made to the amendment of Mr. Dayton, I said that that amendment was undoubtedly the first wish of my government, and that I had instructions to press it if there was the smallest probability of success, but that I supposed this matter to have been already definitively acted upon. To which I understood your lordship to signify your assent, and to add that I might consider the proposition as inadmissible. If I have made no mistake in reporting the substance of what passed between us, Mr. Dayton tells me he is satisfied, and expresses his readiness to proceed on the basis proposed by me to your lordship with the French government. But in order to remove all probability of misconception between him and myself, I have taken the liberty of recalling your lordship's attention to the matter before it may be too late. Should there have been any essential error of fact on the main point, I trust your lordship will do me the favor to set me right.

Should it happen, on the contrary, that I am correct, I believe it will not be necessary to interpose any delay in the negotiation for further reference to the government of the United States. Mr. Dayton will take the necessary steps to apprise the government of the Emperor of the French of his intention to accede to the declaration of Paris, pure and simple, and the negotiations may be carried on simultaneously in both countries as soon as the necessary arrangements can be perfected on the respective sides.

However my government may regret that it has not been able to expand the application of the principles of the declaration of Paris to the extent which it deems desirable, it is too well convinced of the great value of the recognition actually given to those principles by the great powers of Europe in that act, longer to hesitate in giving in its cordial adhesion. But it ardently cherishes the hope that time and the favoring progress of correct opinion may before long bring about opportunities for additional developments of the system they initiate, through the co-operation of all maritime nations of the earth, and most especially of one so enlightened and philanthropic as Great Britain.

Renewing the assurances of my highest consideration, I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. Lord John Russell, *&c.*, *&c.*, *&c.*

FOREIGN OFFICE, *July* 31, 1861.

SIR: I have had the honor to receive your letter of the 29th instant, in which you inform me that Mr. Dayton, some time since, made a proposal to the French government to adopt the declaration of the congress of Paris in 1856, with an addition to the first clause, in substance the same with that heretofore proposed by his predecessor, Mr. Mason, under instructions given by Mr. Marcy, then the Secretary of State of the United States. After giving an account of the reception given to that proposition by the French government, and the value attached to it by Mr. Dayton and yourself, you proceed to state that in a conversation with me you told me that the addition proposed was the first wish of your government, and that you had instructiens to press it if there was the smallest probability of success, but that you supposed this matter to have been already definitively acted upon. You represent me as signifying my assent, and adding that I considered the proposition as inadmissible.

So far as I am concerned, this statement is perfectly correct.

You go on to inform me that in the case of your statement being correct, Mr. Dayton will take the necessary steps to apprise the French government of his intention to accede to the declaration of Paris, "pure and simple, and that the negotiations may be carried on simultaneously in both countries as soon as the necessary arrangements can be perfected on the respective sides."

You will doubtless recollect that in my letter of the 18th instant, I stated that "her Majesty's government are of opinion that they should be assure that the United States are ready to enter into a similar engagement with France, and with the other maritime powers who are parties to the declaration of Paris, and do not propose to make simply and separately a convention with Great Britain only."

But as I agreed in the same letter to waive this assurance, and as I conclude, in point of fact, the United States are willing to sign similar conventions with all the states parties to the declaration of Paris, I shall be ready to carry on the negotiations as soon as the necessary arrangements can be perfected in London and Paris, so that the conventions may be signed simultaneously at those two capitals.

I need scarcely add that on the part of Great Britain the engagement will be prospective, and will not invalidate anything already done.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. RUSSELL.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 55.]

DEPARTMENT OF STATE,
Washington, August 6, 1861.

SIR: Your despatch, No. 17, of the date of July 19th, has been received.

I entirely approve of the letter which you addressed to Lord John Russell, of the 11th, a copy of which accompanied that despatch, and I wait now with impatience, yet not without some solicitude, for the action of the British government upon our propositions which we so early sent forward in good faith, and which by such strange accidents have been so long in reaching the cabinet of Great Britain.

I need hardly tell you that the same mail which conveyed our propositions concerning maritime rights for the consideration of the British government, carried also propositions literally the same for the consideration of the French government, and that of every other maritime power in Europe.

All those powers are understood to be awaiting the action of the government of Great Britain.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 58.]

DEPARTMENT OF STATE,
Washington, August 12, 1861.

SIR: Your despatch of July 24th (No. 20) has been received. I am glad that you have had a full and satisfactory conversation with Mr. Dayton. It seems probable that we shall now be able to arrive at an understanding with the governments of Great Britain and France on the subject of international law relating to maritime war.

The shock produced by the reverse of our arms at Bull Run has passed away. The army is reorganized; the elections show that reaction against disunion has begun in the revolutionary States, and we may confidently look for a restoration of the national authority throughout the Union.

If our foreign relations were once promptly re-established on their former basis, the disunion sentiment would languish and perish within a year.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 29.]

LEGATION OF THE UNITED STATES,
London, August 16, 1861.

SIR: I have read with great attention the contents of your despatch, No. 42, dated the 21st July, and shall avail myself of the argument upon the next occasion of an interview with Lord Russell. But I have not thought it necessary to solicit one, for the reason that the government here does not appear to contemplate any change of position, so long as the blockade shall be kept up.

In the last conference which I had with his lordship, I took occasion towards the close of it to intimate to him that he must not infer, from my not having entered into discussion of the merits of the question, that I gave any assent to the position taken by him about the right of a government to close its own ports, when held by forcible possession of persons resisting its authority. On the contrary, I desired to reserve for my government the treatment of it as an open question whenever it should take any practical shape.

In the meantime I had every reason to believe that it was the design of the President to persevere in the blockade, and to that end that the necessary forces were in constant process of accumulation. This course, being understood to be one against which his lordship had signified an intention not to raise any objection, I did not think it worth while now to go further.

At the time of this interview no mention had been made of the precise form of the legislation contemplated by Congress. We received more precise intelligence on this side of the water a few days before the prorogation of Parliament. On the very last day for transacting business the subject was brought up in the House of Commons on a question addressed to Lord Palmerston by Mr. Wyld. His lordship's answer has doubtless attracted your attention long ere this. He considered the law as merely giving a discretionary power. But if carried into practice he construed it as putting an end to the blockade. So that, whether under blockade or under a levy of duties, foreign nations would have a rule to go by. His reply was, however, rather specious than solid, for it did not touch the difficulty presented by the fourth section, nor that involved in a possible levy of a double set of duties, one by the government on ship-board, and another by the insurgents on land. I am inclined to believe that serious objection would be made here in either of these contingencies. For this reason I do not deem it expedient to stir the matter until the necessity for it shall become positive. Believing the government to be on the whole favorably disposed towards us, and also that it is of great importance to avoid all complications of the present struggle which would practically benefit the insurgents, I shall delay to open any sources of controversy which I think may be avoided until especially instructed to do otherwise.

* * * * * * * * *

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Adams.

No. 61.]

Department of State,
Washington, August 17, 1861.

Sir: Your despatch of August 2 (No. 22) has been received. It is accompanied by a correspondence which has just taken place between yourself and Lord John Russell, with a view, on your part, to remove possible obstructions against the entrance upon negotiations, with which you have so long been charged, for an accession on our part to the declaration of the congress of Paris on the subject of the rights of neutrals in maritime war. It was also understood by you that a further result of the correspondence would be to facilitate, indirectly, the opening of similar negotiations for a like object, by Mr. Dayton, with the government of France.

Your letter to Lord John Russell is judicious, and is approved. Lord John Russell's answer is satisfactory, with the exception of a single passage, upon which it is my duty to instruct you to ask the British secretary for foreign affairs for an explanation.

That passage is as follows:

"I need scarcely add that on the part of Great Britain the engagement will be prospective, and will not invalidate anything already done."

A brief statement of the objects of the proposed negotiation will bring the necessity for an explanation of this passage into a stong light. We have heretofore proposed to other maritime states certain meliorations of the laws of maritime war affecting the rights of neutrals. These meliorations are: 1st. That the neutral flag shall protect enemy's goods not contraband of war. 2d. That the goods of neutrals, not contraband, though found under an enemy's flag, shall not be confiscated. 3d. That blockades, to be respected, must be effective.

The congress at Paris adopted these three principles, adding a fourth, namely, that privateering shall be abolished. The powers which constituted that congress invited the adhesion of the United States to that declaration. The United States answered that they would accede on condition that the other powers would accept a fifth proposition, namely, that the goods of private persons, non-combatants, should be exempt from confiscation in maritime war.

When this answer was given by the United States, the British government declined to accept the proposed amendment, or fifth proposition, thus offered by the United States, and the negotiation was then suspended. We have now proposed to resume the negotiation, offering our adhesion to the declaration of Paris, as before, with the amendment which would exempt private property from confiscation in maritime war.

The British government now, as before, declares this amendment or fifth proposition inadmissible It results that, if the United States can at all become a party to the declaration of the congress of Paris by the necessary consent of the parties already committed to it, this can be done only by their accepting that declaration without any amendment whatever, in other words, "pure and simple." Under these circumstances you have proposed in your letter to Lord John Russell to negotiate our adhesion to the declaration in that form. It is at this stage of the affair that Lord John Russell interposes, by way of caution, the remark, that "on the part of Great Britain the engagement will be prospective, and will not invalidate anything already done."

I need dwell on this remark only one moment to show that, although expressed in a very simple form and in a quite casual manner, it contains what amounts to a preliminary condition, which must be conceded by the United States to Great Britain, and either be inserted in the convention, and so modify our adhesion to the declaration of Paris, or else must be in some confidential manner implied and reserved, with the same effect.

Upon principle this government could not consent to enter into formal negotiations, the result of which, as expressed in a convention, should be modified or restricted by a tacit or implied reservation. Even if such a proceeding was compatible with our convictions of propriety or of expediency, there would yet remain an insuperable obstacle in the way of such a measure.

The President can only initiate a treaty. The treaty negotiated can come into life only through an express and deliberate act of ratification by the Senate of the United States, which ratification sanctions, in any case, only what is set down in the treaty itself. I am not, by any means, to be understood in these remarks as implying a belief that Lord John Russell desires, expects, or contemplates the practice of any reservation on the part of the United States or of Great Britain. The fact of his having given you the caution upon which I am remarking, would be sufficient, if evidence were necessary, to exclude any apprehension of that sort. It results from these remarks that the convention into which we are to enter must contain a provision to the effect that "the engagements" to be made therein are "on the part of Great Britain prospective, and will not invalidate anything already done."

I must, therefore, now discuss the propriety of inserting such a stipulation in the convention which you have been authorized to consummate. The proposed stipulation is divisible into two parts, namely: First. That the engagements of Great Britain are "prospective" [only.]

I do not see any great objection to such an amendment. But why should it be important. A contract is always prospective, and prospective only, if it contains no express stipulation that it shall be retrospective in its operation. So much, therefore, of the stipulation asked is unnecessary, while, if conceded, it might possibly give occasion to misapprehension as to its effect. You will, therefore, decline to make such a condition without first receiving a satisfactory explanation of its meaning and its importance.

The second part of the proposed condition is, that the "engagement will not invalidate anything already done." I am not sure that I should think this proposed condition exceptionable, if its effect were clearly understood. It is necessary, however, to go outside of his lordship's letter to find out what is meant by the words "anything already done." If "anything" pertinent to the subject "has been already done" which ought not to be invalidated, it is clear that it must have been done either by the joint action of the United States and Great Britain, or by the United States only, or by Great Britain acting alone. There has been no joint action of the United States and Great Britain upon the subject. The United States have done nothing affecting it; certainly nothing which they apprehend would be invalidated by the simple form of convention which they propose. I am left to conclude, therefore that the "thing" which "has been done already," and which Great Britain desires shall not be invalidated by the convention, must be something which she herself has done. At the same time we are left to conjecture what that thing is which is thus to be carefully saved. It would be hazardous on our part to assume to know, while I have no doubt that the British government, with its accustomed frankness, and in view of the desirableness of a perfect understanding of the matter, will at once specify what the thing which has been done by her, and which is not to be invalidated, really is. You will, therefore, respectfully ask the right honorable secretary for foreign affairs for an explanation of the part of his letter which I have thus drawn under review, as a preliminary to any further proceedings in the proposed negotiation.

You will perform this in such a manner as to show that the explanation is asked in no querulous or hypercritical spirit. Secondly, you will perform it with reasonable promptness, so that the attainment of the important object of the negotiation may not be unnecessarily delayed; and, thirdly, you will assure the British government that while the United States at present see no reason to think that the stipulation proposed is necessary or expedient, yet, in view of the great interests of commerce and of civilization which are involved, they will refuse nothing which shall be really just or even non-essential and not injurious to themselves, while of course I suppose they are not expected in any way to compromise their own national integrity, safety, or honor.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 63.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: Alexander H. Schultz, a special messenger, will deliver to you this despatch, together with a bag containing papers addressed to Lord John Russell.

On the 5th instant I was advised by a telegram from Cincinnati that Robert Mure, of Charleston, was on his way to New York to embark at that port for England, and that he was a bearer of despatches from the usurping insurrectionary authorities of Richmond to Earl Russell. Other information bore that he was a bearer of despatches from the same authorities to their agents in London. Information from various sources agreed in the fact that he was travelling under a passport from the British consul at Charleston.

Upon this information I directed the police at New York to detain Mr. Mure and any papers which might be found in his possession until I should give further directions. He was so detained, and he is now in custody at Fort Lafayette, awaiting full disclosures. In his possession were found seventy letters, four of which were unsealed and sixty-six sealed. There was also found in his possession a sealed bag marked "Foreign Office, 3," with two labels, as follows: "On Her Brit. Maj. service. The Right Honorable the Lord John Russell, M. P., &c., &c., &c. Despatches in charge of Robert Mure, Esq," signed Robert Bunch. "On Her Brit. Maj. service. The Right Honorable the Lord John Russell, M. P., H. B. M.'s Principal Secretary of State for Foreign Affairs, Foreign Office, London, R. Bunch." The bag bears two impressions of the seal of office of the British consul at Charleston, and seems to contain voluminous papers.

There were also found upon Mr. Mure's person, in an open envelope, what pretends to be a passport in the following words.—(See Annex A.)

Also a letter of introduction, which is as follows.—(See Annex B.)

There were also found several unsealed copies of a printed pamphlet entitled "A narrative of the Battles of Bull Run and Manassas Junction, July 18th and 21st. Accounts of the advance of both armies, the battles and rout of the enemy, compiled chiefly from the detailed reports of the Virginia and South Carolina press; Charleston, Steam Power Presses of Evans & Coggswell, No. 3 Broad, and 103 East Bay streets, 1861."

This pamphlet is manifestly an argument for the disunion of the United States. Several copies of it were found addressed to persons in England.

The marks and outward appearance of the bag indicate that its contents are exclusively legitimate communications from the British consul at Charleston to H. B. M.'s government. Nevertheless, I have what seem to be good reasons for supposing that they may be treasonable papers, designed and gotten up to aid parties engaged in arms for the overthrow of this government and the dissolution of the Union. These reasons are: 1st. That I can hardly conceive that there can be any occasion for such very voluminous communications of a legitimate nature being made by the consul at Charleston to his government at the present time. 2d. Consuls have no authority to issue passports, the granting of them being, as I understand, not a consular but a diplomatic function. Passports, however, have, in other times, been habitually granted by foreign consuls residing in the United States. But soon after the insurrection broke out in the Southern States a regulation was made by this department, which I have excellent means of knowing was communicated to the British consul at Charleston, to the effect that, until further orders, no diplomatic or consular passports would be recognized by this government, so far as to permit the bearer to pass through the lines of the national forces or out of the country unless it should be countersigned by the Secretary of State and the commanding general of the army of the United States. Mr. Mure had passed the lines of the army, and was in the act of leaving the United States in open violation of this regulation. Moreover, the bearer of the papers, Robert Mure, is a naturalized citizen of the United States, has resided here thirty years, and is a colonel in the insurgent military forces of South Carolina.

3d. If the papers contained in the bag are not illegal in their nature or purpose, it is not seen why their safe transmission was not secured, as it might have been by exposing them in some way to Lord Lyons, British minister residing at this capital, whose voucher for their propriety, as Mr. Bunch must well know, would exempt them from all scrutiny or suspicion. 4th. The consul's letter to the bearer of dispatches attaches an unusual importance to the papers in question, while it expresses great impatience for their immediate conveyance to their destination, and an undue anxiety lest they might, by some accident, come under the notice of this government. 5th. The bearer is proved to be disloyal to the United States by the pamphlet and the letters found in his possession.

I have examined many of the papers found upon the person of Mr. Mure, and I find them full of treasonable information, and clearly written for treasonable purposes. These, I think, will be deemed sufficient grounds for desiring the scrutiny of the papers and surveillance of the bearer on my part.

Comity towards the British government, together with a perfect confidence in its justice and honor, as well as its friendship towards the United States, to say nothing of a sense of propriety, which I could not dismiss, have prevented me from entertaining, for a moment, the idea of breaking the seals which I have so much reason to believe were put upon the consular bag to save it from my inspection, while the bearer himself might remove them on his arrival in London, after which he might convey the papers, if treasonable, to the agents of the insurgents, now understood to be residing in several of the capitals in Europe.

I will not say that I have established the fact that the papers in question are treasonable in their nature, and are made with purposes hostile and dangerous to this country. But I confess I fear they are so, and I apprehend either that they are guilty despatches to the agents of disunion, or else that, if they are really addressed to the British government, they are papers prepared by traitors in the insurrectionary States, with a view to apply to the British government for some advantage and assistance or countenance from that government injurious to the United States and subversive of their sovereignty. Of course, I need hardly say that I disclaim any thought that Earl Russell has any knowledge of the papers or of their being sent, or that I have any belief or fear that the British government would, in any way, receive the papers if they are illegal in their character, or dangerous or injurious to the United States. It is important, however, to this government that whatever mischief, if any, may be lurking in the transaction, be counteracted and prevented.

I have, therefore, upon due consideration of the case, concluded to send the bag by a special messenger, who will deliver it into your care, and to instruct you to see that it is delivered accordingly to its address in exactly the condition in which you receive it.

You will also make known to the Earl Russell the causes and the circumstances of the arrest and detention of Mr. Mure and his papers, adding the assurance that this government deeply regrets that it has become necessary; and that it will be very desirous to excuse the brief interruption of the correspondence of the British consul, if it is indeed innocent, and will endeavor, in that case, to render any further satisfaction which may be justly required. On the other hand, you will, in such terms as you shall find most suitable and proper, intimate that if the papers in question shall prove to be treasonable against the United States, I expect that they will be delivered up to you for the use of this government, and that her British Majesty's consul at Charleston will, in that case, be promptly made to feel the severe displeasure of the government which employs him, since there can be no greater crime against society than a perversion by the agent of one government of the hospitality afforded to him by another, to designs against its safety, dignity, and honor.

I think it proper to say that I have apprised Lord Lyons of this transaction, and of the general character of this letter, while he is not in any way compromised by any assent given to my proceedings, or by any opinion expressed by him or asked from him.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles F. Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 64.]

Department of State,
Washington, August 17, 1861.

Sir: Among the letters found on the person of Robert Mure, mentioned in my despatch No. 63, of this date, there are many which more or less directly implicate Mr. Robert Bunch, the British consul at Charleston, as a conspirator against the government of the United States. The following is an extract from one of them:

"Mr. B., on oath of secrecy, communicated to me also that the *first step* to recognition was taken. He and Mr. Belligny together sent Mr. Trescot to Richmond yesterday, to ask Jeff. Davis, president, to ——— the treaty of ——— to ——— the neutral flag covering neutral goods to be respected. This is the first step of direct treating with our government, so prepare for active business by January 1."

You will submit this information to the British government, and request that Mr. Bunch may be removed from his office, saying that this government will grant an exequatur to any person who may be appointed to fill it, who will not pervert his functions to hostilities against the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles F. Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 32.]

Legation of the United States,
London, August 23, 1861.

Sir: I have the honor to transmit a copy of a note addressed to me by Lord Russell, transmitting to me a copy of a declaration which he proposes to make upon signing the convention, embodying the articles of the declaration of Paris, in conjunction with myself.

I have waited to communicate with Mr. Dayton until I now learn from him that Mr. Thouvenel proposes to him a similar movement on the part of France.

This proceeding is of so grave and novel a character as, in my opinion, to render further action unadvisable until I obtain further instructions; and I find Mr. Dayton is of the same opinion on his side. I propose to address a letter to his lordship stating my reasons for declining to proceed, as soon as possible, but I fear I shall not have time to get it ready and a copy made in season for the present mail. I shall therefore postpone any further elucidation of my views until the next opportunity. I do so the more readily that I am informed by Mr. Dayton that you have ceased to consider the matter as one of any urgent importance.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

FOREIGN OFFICE, *August* 19, 1861.

SIR: I have the honor to enclose a copy of a declaration which I propose to make upon signing the convention of which you gave me a draft embodying the articles of the declaration of Paris.

I propose to make the declaration in question in a written form, and to furnish you with a copy of it.

You will observe that it is intended to prevent any misconception as to the nature of the engagement to be taken by her Majesty.

If you have no objection to name a day in the course of this week for the signature of the convention, Mr. Dayton can on that day, and at the same time, sign with M. Thouvenel a convention identical with that which you propose to sign with me.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

C. F. ADAMS, Esq., *&c.*, *&c.*, *&c.*

Draft of Declaration.

In affixing his signature to the convention of this day between her Majesty the Queen of Great Britain and Ireland and the United States of America, the Earl Russell declares, by order of her Majesty, that her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States.

Mr. F. W. Seward to Mr. Adams.

No. 74.]

DEPARTMENT OF STATE,
Washington, August 27, 1861.

SIR: Your despatch of August 8, No. 25, has been received.

The account you have given us of the impression made by the reverse of our arms at Manassas does not surprise me. But there are to be very many fluctuations of opinion in Europe concerning our affairs before the Union will be in danger from any source.

The insurgents are exhausting themselves. We are invigorated even by disappointment. To-day the capital is beyond danger, and forces are accumulating and taking on the qualities which will render them invincible. The Union armies are preparing for movements which will, in a few weeks, remove the war from the present frontier. The blockade is effective, and is working out the best fruits.

We do not at present depart from that policy, but we are preparing for any emergency in our foreign relations.

The sentiment of disunion is losing its expansive force, and every day it grows weaker as a physical power.

I am, sir, respectfully, your obedient servant,

F. W. SEWARD, *Assistant Secretary.*

CHARLES FRANCIS ADAMS, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 34.]

LEGATION OF THE UNITED STATES,
London, August 30, 1861

SIR: It is not without regret that I am compelled to announce the failure of the negotiation which I am led, by the tenor of your despatches, Nos. 55 and 58, to infer you considered almost sure to succeed. I have now the honor to transmit the copy of a note addressed by me to Lord Russell on the the 23d instant, assigning the reasons why I felt it my duty to take the responsibility of declining to fix a day for signing the convention agreed upon between us, burdened, as it was to be, with a contemporaneous exposition of one of its provisions in the form of an outside declaration made by his lordship on behalf of her Majesty the Queen. I have gone so fully into the matter in that note as to render further explanation unnecessary. At the same time I take the liberty to observe that, in case the President should be of opinion that too much stress has been laid by me upon the objectionable character of that paper, an opening has been left by me for the resumption of the negotiation at any moment under new instructions modifying my views. I transmitted to Mr. Dayton a copy for his information immediately after the original was sent. I have not received any later intelligence from him; but I do not doubt that he will forward to the department by this mail his representation of the state of the corresponding negotiation at Paris, so that the whole subject will be under your eye at the same moment. From the tenor of his last note to me, I was led to infer that M. Thouvenel contemplated a parallel proceeding in the conclusion of his negotiation, and that he regarded it there very much in the same light that I did here.

From a review of the whole course of these proceedings I am led to infer the existence of some influence in the cabinet here adverse to the success of this negotiation. At the time of my last conference with Lord Russell I had every reason, from his manner, to believe that he considered the offer of the project as perfectly satisfactory. The suggestion of a qualification did not make its appearance until after the consultation with his colleagues, when it showed itself first in the enigmatical sentence of his note to me of the 31st of July, of which, in my despatch No. 22 to the department, I confessed my inability to comprehend the meaning, and afterwards in the formal announcement contained in his note of the 19th of August. That the failure of the measure, by reason of it, could not have been altogether unexpected I infer from Mr. Dayton's report to me of M. Thouvenel's language to him, to the effect that his government would prefer to lose the negotiation rather than to omit making the exception.

Although the matter is not altogether germane to the preceding, I will not close this despatch without calling your attention to the copy of a letter of Lord John Russell to Mr. Edwardes, which I transmit as cut from a London newspaper, The Globe. It purports to have been taken from parliamentary papers just published, although I have not seen them, nor have I found it printed in any other newspaper. You will notice the date, the 14th of May, being the very day of my first visit to his lordship in company with Mr. Dallas, when he did not see us, as well as of the publication of the Queen's proclamation. I have reason to believe that the original form of that proclamation described the parties in America in much the same terms used by his Lordship, and that they were only qualified at a very late moment, and after earnest remonstrance. The tone of the letter corresponds very much with that used to me, a report of which was transmitted in my despatch No. 8.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Legation of the United States,
London, August 23, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, has the honor to acknowledge the reception of the note of the 19th instant, of Lord Russell, her Majesty's principal secretary of state for foreign affairs, covering the copy of a declaration which his lordship proposes to make upon signing the convention which has been agreed upon between her Majesty the Queen of Great Britain and Ireland, and the United States of America, embodying the articles of the declaration of Paris, and at the same time requesting him to name a day in the course of this week for the signature of the convention, in conjunction with a similar proceeding, to be arranged to take place at Paris, between Mr. Dayton and the minister of foreign affairs on the part of the French government.

The first step rendered necessary by this proposal was that the undersigned should communicate with Mr. Dayton in order to know whether a similar declaration was contemplated on the part of the Emperor of the French, and in case it was, whether Mr. Dayton was still prepared to proceed. Mr. Dayton's letter containing that information was received only yesterday, which fact, in conjunction with a brief absence of the undersigned, will account for the apparent delay in answering his lordship's note.

In order perfectly to understand the position of the undersigned, it will be necessary briefly to recapitulate the particulars of this negotiation. But a few weeks after the accession of the President of the United States to office, his attention was turned to the state in which the negotiation on the subject of the four articles of the declaration of Paris had been left by his predecessor; and his disposition manifested itself to remove so far as he could the obstacles which had been interposed in the way of completing it. To that end, among the duties with which the undersigned was charged immediately upon his arrival at his post, was an instruction at once to make overtures to her Majesty's government for a revival of the negotiation here. And, in case of the manifestation of a favorable disposition, he was further directed to offer a project of a convention, which he was properly empowered to sign, after satisfying himself that the incorporation of the amendment which had been proposed by Mr. Marcy for the government of the United States, at a former stage of the proceedings, was not attainable.

On the eighteenth of May last, being the day of the first interview had with his lordship, the subject was only opened by the undersigned as one on which he had power to negotiate, and the disposition of her Majesty's government to proceed here was tested. It was then that he received a distinct impression from his lordship that the matter had been already committed to the care of Lord Lyons at Washington, with authority to agree with the government of the United States on the basis of the adoption of three of the articles, and the omission of the fourth altogether. Considering this to be equivalent to declining a negotiation here, and at the same time relieving him from a duty which would be better performed by his own government, the undersigned cheerfully acquiesced in this suggestion, and accordingly wrote home signifying his intention not to renew the subject unless again specifically instructed so to do.

One month passed away, when the Secretary of State of the United States, after a conference with Lord Lyons, learning that his lordship did not confirm the representation of the powers with which the undersigned had understood him to be clothed, and, so far from it, that he did not feel authorized to enter into any convention at all at Washington, directed the undersigned to inform the government in London of this fact, and to propose once more to enter into convention, if agreeable, here.

Immediately upon the receipt of these instructions, the undersigned wrote a letter on the 11th of July, as his lordship may remember, reciting these facts and renewing the question whether a proposal of negotiation at this place would be acceptable to her Majesty's government. To this letter a favorable reply was received on the 13th, and an interview took place the same day, at which, after ascertaining that the amendment desired by his government would not be successful, the undersigned had the honor to present to his lordship the project in the same form in which it had been, nearly two months before, placed in his hands, and in which it has been since accepted, and to offer a copy of his powers to negotiate. His lordship, after examining the former, remarked that he would take it for consultation with his colleagues, and in the meantime that there was no necessity for a copy of the powers.

The next step in the negotiation was the receipt, by the undersigned, of a letter from his lordship, dated the 18th of July, calling his attention to the fact that the declaration of Paris contemplated a concurrence of various powers, and not an insulated engagement of two powers only, and requiring an assurance that the United States were ready to enter into a similar engagement with France and with other maritime powers, parties to the declaration, and not with Great Britain alone. But, inasmuch as this process itself might involve the loss of much time, that her Majesty's government would deem themselves authorized to advise the Queen to conclude a convention with the President of the United States so soon as they should have been informed that a similar convention has been agreed upon between the President and the Emperor of the French.

Upon receiving this reply the undersigned, not unwilling to do everything within his power to forward an object considered by him of the greatest value, immediately opened a correspondence with Mr. Dayton, the representative of the United States at Paris, to learn from him whether such an arrangement as that contemplated in his lordship's note could not be at once carried out by him. With some reluctance Mr. Dayton consented to promote it, but only upon the production of evidence satisfactory to his own mind that the amendment originally proposed by Mr. Marcy was not attainable. The undersigned then addressed himself to his lordship, and with entire success. The evidence was obtained, Mr. Dayton acted with success, and no further difficulties then seemed to be in the way of a speedy and simultaneous affirmation of concurrence in the principles of the declaration of Paris by the United States, in conjunction with the other powers.

The public law thus declared to be established, embraced four general propositions, to wit:

1. Privateering is abolished.
2. The neutral flag covers enemy's goods, except contraband of war.
3. Neutral goods safe under an enemy's flag, with the same exception.
4. Blockades, to be binding, must be effective.

The government of the United States, in proposing to join in the establishment of these principles, are believed by the undersigned to be acting with the single purpose of aiding to establish a permanent doctrine for all time. Convinced of the value of it in ameliorating the horrors of warfare all over the globe, they have, perhaps against their notions of their immediate interest, consented to waive temporary considerations of expediency for the attainment of a great ultimate good. They are at last prepared to sign and seal an engagement pure and simple, and by so doing to sacrifice the hope of attaining, at least for the present, an improvement of it to which they have always attached great value. But just at the moment when their concurrence with the views of the other maritime powers of the world would seem to be certain, they are met with a proposition from one, if not more, of the parties, to accompany the act with a proceeding somewhat novel and anomalous in this case, being the presentation of a written declaration, not making a part of the convention itself, but intended to follow the signature, to the effect that "her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct *or indirect*, on the internal differences now prevailing in the United States."

Obviously a consent to accept a particular exception, susceptible of so wide a construction of a joint instrument, made by one of the parties to it in its own favor at the time of signing, would justify the idea that some advantage is, or may be suspected to be, intended to be taken by the other. The natural effect of such an accompaniment would seem to be to imply that the goverment of the United States might be desirous, at this time, to take a part in the declaration, not from any high purpose or durable policy, but with the view of securing some small temporary object in the unhappy struggle which is going on at home. Such an inference would spoil all the value that might be attached to the act itself. The mere toleration of it would seem to be equivalent to a confession of their own weakness. Rather than that such a record should be made, it were a thousand times better that the declaration remain unsigned forever. If the parties to the instrument are not to sign it upon terms of perfect reciprocity, with all their duties and obligations under it perfectly equal, and without equivocation or reservation of any kind, on any side, then is it plain that the proper season for such an engagement has not yet arrived. It were much wiser to put it off until nations can understand each other better.

There is another reason why the undersigned cannot at this moment consent to proceed under the powers conferred on him to complete this negotiation when clogged with such a declaration, which is drawn from the peculiar construction of the government of his own country. By the terms of the Constitution, every treaty negotiated by the President of the United States must, before it is ratified, be submitted to the consideration of the Senate of the United States. The question immediately arises in this case, what is to be done with a declaration like that which his lordship proposes to make.

Is it a part of the treaty, or is it not? If it be, then is the undersigned exceeding his instructions in signing it, for the paper made no part of the project which he was directed to propose; and in case he should sign, the addition must be submitted to the Senate for its advice and consent, together with the paper itself. If it be not, what advantage can the party making the declaration expect from it in modifying the construction of the project, when the Senate have never had it before them for their approval? It either changes the treaty or it does not. If it does, then the question arises, why did not the undersigned procure it to be incorporated into it? On the other hand, if it do not, why did he connive at the appearance of a desire to do it without effecting the object?

The undersigned has ever been desirous of maintaining and perpetuating the most friendly relations between her Majesty's kingdom and the United States, and he continues to act in the same spirit when he deprecates the submission of any project clogged with a similar exception to the consideration of the Senate of the United States. He has reason to believe that already a strong disinclination exists in that body to the acceptance of the first of the four propositions embraced in the declaration itself, and that mainly because it is esteemed to be too much of a concession to the great maritime powers. Were he now to consent, without further instructions, to accept a qualification which would scarcely fail to be regarded by many unfavorably disposed persons as more or less directly an insult to the nation in its present distress, he should deem himself as incurring the hazard of bringing on difficulties which he professes an earnest wish to avoid.

For the reasons thus given the undersigned has reluctantly come to the conclusion to decline to fix a day for proceeding in the negotiation under its present aspect, at least until he shall have been able to submit the whole question once more to the judgment of the authorities under which he has the honor to act.

A copy of this letter will also be forwarded to Mr. Dayton for his information.

The undersigned prays Lord Russell to receive the assurances of the most distinguished consideration with which he is his obedient servant.

CHARLES FRANCIS ADAMS.

Right Hon. Earl Russell, *&c., &c., &c.*

Lord Russell to Mr. Edwards.

Foreign Office, *May* 14, 1861.

It is for the Spanish government to weigh in the balance of their judgment the advantages and inconveniences which may arise from the annexation of the territory of the Dominican state to the dominions of Spain; and any opinion which her Majesty's government may form on the subject can be founded on no other consideration than a regard for what they may look upon as the real and permanent interests of Spain.

Her Majesty's government would, no doubt, have felt a strong and decided dissatisfaction at the proposed annexation if it had been likely to lead to the introduction of slavery into a community which is free from the taint of that pernicious institution; but the formal and repeated declarations of Marshal O'Donnell, that under no circumstances will slavery be introduced into the Dominican territory, have removed the main cause which would have led her

Majesty's government to view the proposed annexation with dislike and repugnance.

Her Majesty's government certainly apprehended, when first this projected annexation was talked of, that it might, if carried into execution, involve Spain in unfriendly discussions, if not in conflict, either with France or with the United States, or with both. With regard to France, her Majesty's government have not learned that the French government has expressed any positive objection to the proposed arrangement, although she may not think it advantageous to Spain. It appears, also, from what has been stated to you, that there is no probability at present of any positive resistance to the measure, either by the northern or the southern confederation of North America. But the Spanish government should not too confidently rely on the permanent continuance of this indifference or acquiescence on the part of the North Americans; and it is not impossible that when the civil war which is now breaking out shall have been brought to an end, an event which may happen sooner than at present appears likely, both the north and the south might combine to make the occupation of the Dominican territory by Spain the cause of serious difference between the North American governments and that of Spain.

Her Majesty's government do not deny that Great Britain, as a power naturally inclined to peace, and systematically addicted to commerce, must always view a war between any two powers as an event not only at variance with her principles, but to a certain degree injurious to her interests. But with respect to Spain, the motives of the British government spring from far higher sources. Great Britain and Spain have for long periods of time, and in circumstances of high moment to each, been faithful and active allies; their alliance has been greatly useful and eminently honorable to both. It is a fundamental maxim of British policy to wish well to Spain, and earnestly to desire her welfare and prosperity; and therefore any combination of events which might at any time involve the possibility of Spain being engaged in a conflict which, from local circumstances and disadvantages, might be in the end seriously injurious to her rule over her ancient possessions, would be viewed by her Majesty's government with lively apprehension and sincere regret.

Mr. Seward to Mr. Adams.

[Extracts.]

No. 78.]

DEPARTMENT OF STATE,
Washington, September 2, 1861.

SIR: Your despatch of the 16th of August, number 29, has been received.

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Steadily for the period of four months our forces have been coming into the field at the rate of two thousand a day, and the same augmentation will go on nearly at the same rate until 500,000 men will be found in the service. Our supplies of arms are running low.

My despatch, No. 42, acknowledged by you in the paper before me, was written, as you will see by its date, July 21, during the progress of the battle at Bull Run, though sent a few days afterwards. From this fact you will see that our policy and our claims upon the government of Great Britain are not affected by the caprices of military fortune.

We have now reached a new and important stage in the war. The enemy is directly before us, invigorated and inspirited by a victory, which it is not the part of wisdom for us to undervalue. But that victory has brought with it the necessity for renewed and decisive action with proportionate results. The demoralization of our forces has passed away. I have already stated that they are increasing in numbers. You will learn through other channels that they are equally perfecting themselves in discipline. Commander Stringham and General Butler's success at Hatteras was not merely a brilliant affair. It brings nearly the whole coast of North Carolina under the surveillance of our blockade. * * * * * *

I shall be entirely satisfied with the exercise of your own discretion as to the time and form you may choose for making the explanations to the British government on those subjects with which you are charged, and I regard the condition of things in that respect, as you have reported it to me, as, under the circumstances, quite satisfactory. No change of policy in regard to the blockade has been adopted since my former despatches.

I can well enough imagine that your position has been made a trying one by the exultations of enemies of our country and its institutions over the disaster of the 21st of July. But you will be able to comprehend what they cannot, that faction ripens fast, whence its necessities impel to action which exhausts its energies. Loyalty in any free country organizes less rapidly and gains strength from time and even from reverses. The previous success of this government is a sufficient guaranty of the safety of our cause, and is a fact too important to be misunderstood in the political circle in which you are moving.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 83.]

Department of State,
Washington, September 7, 1861.

Sir: I have received your despatch of August 23, number 32. It is accompanied by a note which was addressed to you by Lord Russell on the 19th of the same month, and a paper containing the form of an official declaration which he proposes to make on the part of her Majesty on the occasion of affixing his signature to the projected convention between the United States and Great Britain for the accession of the former power to the articles of the declaration of the congress of Paris for the melioration of the rigor of international law in regard to neutrals in maritime war. The instrument thus submitted to us by Lord Russell is in the following words: "Draft of declaration.—In affixing his signature to the convention of this day, between her Majesty the Queen of Great Britain and Ireland and the United States of America, the Earl Russell declares, by order of her Majesty, that her Majesty does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States."

Lord Russell, in his note to you, explains the object of the instrument, by saying that it is intended to prevent any misconception as to the nature of the engagement to be taken by her Majesty.

You have judged very rightly in considering this proceeding, on the part of the British government, as one so grave and so novel in its character as to render further action on your part in regard to the projected convention inadmissible until you shall have special instructions from this department.

Long before the present communication can reach you, my instructions of August 17, No. 61, will have come to your hands. That paper directed you to ask Lord Russell to explain a passage in a note written to you, and then lying before me, in which he said: "I need scarcely add that on the part of Great Britain the engagement (to be contained in the projected convention) will be prospective, and will not invalidate anything already done;" which explanation I stated would be expected as a preliminary before you could proceed further in the transaction.

You have thus been already prepared for the information that your resolution to await special instructions in the present emergency is approved.

I feel myself at liberty, perhaps bound, to assume that Lord Russell's proposed declaration, which I have herein recited, will have been already regarded, as well by him as by yourself, as sufficiently answering the request for preliminary explanations which you were instructed to make.

I may, therefore, assume that the case is fully before me, and that the question whether this government will consent to enter into the projected treaty with Great Britain, subject to the condition of admitting the simultaneous declaration on her Majesty's part, proposed by Lord Russell, is ready to be decided.

I am instructed by the President to say that the proposed declaration is inadmissible.

It would be virtually a new and distinct article incorporated into the projected convention. To admit such a new article would, for the first time in the history of the United States, be to permit a foreign power to take cognizance of and adjust its relations upon assumed internal and purely domestic differences existing within our own country.

This broad consideration supersedes any necessity for considering in what manner or in what degree the projected convention, if completed either subject to the explanation proposed or not, would bear directly or indirectly on the internal differences which the British government assume to be prevailing in the United States.

I do not enlarge upon this branch of the subject. It is enough to say that the view thus adopted by the President seems to be in harmony equally with a prudent regard to the safety of the republic and a just sense of its honor and dignity.

The proposed declaration is inadmissible, among other reasons, because it is not mutual. It proposes a special rule by which her Majesty's obligations shall be meliorated in their bearing upon internal difficulties now prevailing in the United States, while the obligations to be assumed by the United States shall not be similarly meliorated or at all affected in their bearing on internal differences that may now be prevailing, or may hereafter arise and prevail, in Great Britain.

It is inadmissible, because it would be a substantial and even a radical departure from the declaration of the congress at Paris. That declaration makes no exception in favor of any of the parties to it in regard to the bearing of their obligations upon internal differences which may prevail in the territories or dominions of other parties.

The declaration of the congress of Paris is the joint act of forty-six great and enlightened powers, designing to alleviate the evils of maritime war, and promote the first interest of humanity, which is peace. The government of Great Britain will not, I am sure, expect us to accede to this noble act otherwise than upon the same equal footing upon which all the other parties to it are standing. We could not consent to accede to the declaration with a modification of its terms unless all the present parties to it should stipulate that the modification should be adopted as one of universal application. The British government cannot but know that there would be little prospect of an entire reformation of the declaration of Paris at the present time, and it has not even told us that it would accept the modification as a general one if it were proposed.

It results that the United States must accede to the declaration of the congress of Paris on the same terms with all the other parties to it, or that they do not accede to it at all.

You will present these considerations to Lord Russell, not as arguments why the British government ought to recede from the position it has assumed, but as the grounds upon which the United States decline to enter into the projected convention recognizing that exceptional position of her Majesty.

If, therefore, her Britannic Majesty's government shall adhere to the proposition thus disallowed, you will inform Lord Russell that the negotiation must for the present be suspended.

I forbear purposely from a review of the past correspondence, to ascertain the relative responsibilities of the parties for this failure of negotiations, from which I had hoped results would flow beneficial, not only to the two nations, but to the whole world—beneficial, not in the present age only, but in future ages.

It is my desire that we may withdraw from the subject carrying away no feelings of passion, prejudice, or jealousy, so that in some happier time it may be resumed, and the important objects of the proposed convention may be fully secured. I believe that that propitious time is even now not distant; and I will hope that when it comes Great Britain will not only willingly and unconditionally accept the adhesion of the United States to all the benignant articles of the declaration of the congress of Paris, but will even go further, and, relinquishing her present objections, consent, as the United States have so constantly invited, that the private property, not contraband, of citizens and subjects of nations in collision shall be exempted from confiscation equally in warfare waged on the land and in warfare waged upon the seas, which are the common highways of all nations.

Regarding this negotiation as at an end, the question arises, what, then, are to be the views and policy of the United States in regard to the rights of neutrals in maritime war in the present case. My previous despatches leave no uncertainty upon this point. We regard Great Britain as a friend. Her Majesty's flag, according to our traditional principles, covers enemy's goods not contraband of war. Goods of her Majesty's subjects, not contraband of war, are exempt from confiscation though found under a neutral or disloyal flag. No depredations shall be committed by our naval forces or by those of any of our citizens, so far as we can prevent it, upon the vessels or property of British subjects. Our blockade, being effective, must be respected.

The unfortunate failure of our negotiations to amend the law of nations in regard to maritime war does not make us enemies, although, if they had been successful, we should have perhaps been more assured friends.

Civil war is a calamity from which certainly no people or nation that has ever existed has been always exempt. It is one which probably no nation ever will escape. Perhaps its most injurious trait is its tendency to subvert the good understanding and break up the relations existing between the distracted state and friendly nations, and to involve them, sooner or later, in war. It is the desire of the United States that the internal differences existing in this country may be confined within our own borders. I do not suffer myself for a moment to doubt that Great Britain has a desire that we may be successful in attaining that object, and that she looks with dread upon the possibility of being herself drawn into this unhappy internal controversy of our own. I do not think it can be regarded as disrespectful if you should remind Lord Russell that when, in 1838, a civil war broke out in

Canada, a part of the British dominions adjacent to the United States, the Congress of the United States passed and the President executed a law which effectually prevented any intervention against the government of Great Britain in those internal differences by American citizens, whatever might be their motives, real or pretended, whether of interest or sympathy. I send you a copy of that enactment. The British government will judge for itself whether it is suggestive of any measures on the part of Great Britain that might tend to preserve the peace of the two countries, and, through that way, the peace of all nations.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extracts.]

No. 39.]

Legation of the United States,
London, September 7, 1861.

Sir: I have the honor to acknowledge the reception of despatches from the department, numbered from 61 to 67, both inclusive.

Since the date of your No. 61, of the 17th of August, you will have learned ere this that the enigmatical extract from Lord Russell's note to me, of which you instructed me to ask an explanation, has taken a very distinct and unequivocal shape, superseding all necessity for further inquiry. I may take occasion to remark upon the similarity of some of the reasoning in your despatch with that which you will find already made use of in my letter to his lordship, of the 23d August, declining to conclude the negotiation. On the whole, it seems to me that it is perhaps as well to let it stay for the present in the situation in which her Majesty's ministers have placed it. But in this I remain to be directed at the pleasure of the President.

In this connexion I have the honor to transmit a copy of Lord Russell's note of the 28th of August, in reply to mine of the 23d of that month to him, already referred to in the preceding paragraph. I likewise send a copy of his instructions to Lord Lyons, which he seems to have furnished to me as an evidence of his good faith in the representation he made of them to me at the conference.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Foreign Office, *August* 28, 1861.

The undersigned, her Majesty's principal secretary of state for foreign affairs, has had the honor to receive the note, of the 23d instant, of Mr. Adams, envoy extraordinary and minister plenipotentiary of the United States.

Mr. Adams has accounted satisfactorily for the delay in answering the note of the undersigned of the 19th instant. Her Majesty's government in all these transactions has acted in concert with the government of the

Emperor of the French, and the undersigned cannot be surprised that Mr. Adams should wish to communicate with Mr. Dayton, at Paris, before replying to his note.

The undersigned is quite prepared, following Mr. Adams, to recapitulate the particulars of this negotiation, and he is happy to think that in matters of fact there is no ground for any controversy between them. He need only supply omissions.

Mr. Adams, at his first interview with the undersigned, on the 18th of May last, mentioned the subject of the declaration of Paris as one on which he had power to negotiate, and the undersigned then told him that the matter had been already committed to the care of Lord Lyons, at Washington, with authority to agree with the government of the United States on the basis of the adoption of three of the articles and the omission of the first, being that relating to privateering. So far, the statement of Mr. Adams agrees substantially with that which is here made. But the representation of the undersigned was strictly accurate, and in faith of it he subjoins the despatch by which Lord Lyons was authorized to negotiate on the basis of the three latter articles of the declaration of Paris. Lord Lyons, however, was not empowered to sign a convention, because that form had not been adopted by the powers who originally signed the declaration, nor by any of the numerous states which afterwards gave their adherence to its articles.

At a later period, when Mr. Adams brought a copy of his full powers to the foreign office, the undersigned asked why the adherence of the United States should not be given in the same form as that of other powers, and he was told, in reply, that as the Constitution of the United States required the consent of the Senate to any agreement with foreign powers, that agreement must necessarily, or at least would most conveniently, be made in the shape of a convention.

The undersigned yielded to this argument, and proposed to the government of the Emperor of the French, with which her Majesty's government have been acting throughout in complete agreement, to concur likewise in this departure from the form in which the declaration of Paris had been adopted by the maritime powers of Europe.

But the British government could not sign the convention proposed by the United States as an act of Great Britain singly and alone, and they found to their surprise that in case of France and of some of the other European powers the addition of Mr. Marcy relating to private property at sea had been proposed by the ministers of the United States at the courts of those powers.

The undersigned concurs in the statement made by Mr. Adams respecting the transactions which followed. Her Majesty's government, like Mr. Adams, wished to establish a doctrine for all time, with a view to lessen the horrors of war all over the globe. The instructions sent to Lord Lyons prove the sincerity of their wish to give permanence and fixity of principles to this part of the law of nations.

The undersigned has now arrived at that part of the subject upon which the negotiation is interrupted.

The undersigned has notified Mr. Adams his intention to accompany his signature of the proposed convention with a declaration to the effect that her Majesty "does not intend thereby to undertake any engagement which shall have any bearing, direct or indirect, on the internal differences now prevailing in the United States."

The reasons for this course can be easily explained. On some recent occasions, as on the fulfilment of the treaty of 1846, respecting the boundary, and with respect to the treaty called by the name of the "Clayton-Bulwer treaty," serious differences have arisen with regard to the precise meaning of words, and the intention of those who framed them.

It was most desirable in framing a new agreement not to give rise to a fresh dispute.

But the different attitude of Great Britain and of the United States in regard to the internal dissensions now unhappily prevailing in the United States gave warning that such a dispute might arise out of the proposed convention.

Her Majesty's government, upon receiving intelligence that the President had declared by proclamation his intention to blockade the ports of nine of the States of the Union, and that Mr. Davis, speaking in the name of those nine States, had declared his intention to issue letters of marque and reprisals; and having also received certain information of the design of both sides to arm, had come to the conclusion that civil war existed in America, and her Majesty had thereupon proclaimed her neutrality in the approaching contest.

The government of the United States, on the other hand, spoke only of unlawful combinations, and designated those concerned in them as rebels and pirates. It would follow logically and consistently, from the attitude taken by her Majesty's government, that the so-called Confederate States, being acknowledged as a belligerent, might, by the law of nations, arm privateers, and that their privateers must be regarded as the armed vessels of a belligerent.

With equal logic and consistency it would follow, from the position taken by the United States, that the privateers of the southern States might be decreed to be pirates, and it might be further argued by the government of the United States that a European power signing a convention with the United States, declaring that privateering was and remains abolished, would be bound to treat the privateers of the so-called Confederate States as pirates.

Hence, instead of an agreement, charges of bad faith and violation of a convention might be brought in the United States against the power signing such a convention, and treating the privateers of the so-called Confederate States as those of a belligerent power.

The undersigned had at first intended to make verbally the declaration proposed. But he considered it would be more clear, more open, more fair to Mr. Adams to put the declaration in writing, and give notice of it to Mr. Adams before signing the convention.

The undersigned will not now reply to the reasons given by Mr. Adams for not signing the convention if accompanied by the proposed declaration. Her Majesty's government wish the question to be fairly weighed by the United States government. The undersigned, like Mr. Adams, wishes to maintain and perpetuate the most friendly relations between her Majesty's kingdom and the United States. It is in this spirit that her Majesty's government decline to bind themselves without a clear explanation on their part to a convention which, seemingly confined to an adoption of the declaration of Paris of 1856, might be construed as an engagement to interfere in the unhappy dissensions now prevailing in the United States—an interference which would be contrary to her Majesty's public declarations, and would be a reversal of the policy which her Majesty has deliberately sanctioned.

The undersigned requests Mr. Adams to accept the assurance of his highest consideration.

RUSSELL.

C. F. Adams, Esq., *&c., &c., &c.*

No. 136.] FOREIGN OFFICE, *May* 18, 1861.

MY LORD: Her Majesty's government deeply lament the outbreak of hostilities in North America, and they would gladly lend their aid to the restoration of peace.

You are instructed, therefore, in case you should be asked to employ your good offices either singly or in conjunction with the representatives of other powers, to give your assistance in promoting the work of reconciliation. But as it is most probable, especially after a recent letter of Mr. Seward, that foreign advice is not likely to be accepted, you will refrain from offering it unasked. Such being the case, and supposing the contest not to be at once ended by signal success on one side or by the return of friendly feeling between the two contending parties, her Majesty's government have to consider what will be the position of Great Britain as a neutral between the two belligerents.

So far as the position of Great Britain in this respect toward the European powers is concerned, that position has been greatly modified by the declaration of Paris of April 16, 1856. That declaration was signed by the ministers of Austria, France, Great Britain, Prussia, Russia, Sardinia, and Turkey.

The motives for making that declaration, and for agreeing to the articles of maratime law which it proposes to introduce with a view to the establishment of a "uniform doctrine" and "fixed principles," are thus shortly enumerated in the declaration:

"Considering that maritime law in time of war has long been the subject of deplorable disputes;

"That the uncertainty of the law and of the duties in such a matter gives rise to differences of opinion between neutrals and belligerents which ma occasion serious difficulties and even conflicts;

"That it is consequently advantageous to establish a uniform doctrine on so important a point;

"That the plenipotentiaries assembled in congress at Paris cannot better respond to the intentions by which their governments are animated than by seeking to introduce into international relations fixed principles in this respect—

"The above-mentioned plenipotentiaries, being duly authorized, resolved to concert among themselves as to the means of attaining this object, and having come to an agreement have adopted the following solemn declaration:"

1st. Privateering is and remains abolished.

2d. The neutral flag covers enemy's goods, with the exception of contraband of war.

3d. Neutral's goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4th. Blockades, in order to be binding, must be effective—that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The powers signing the declaration engaged to bring it to the knowledge of the states which had not taken part in the congress of Paris, and to invite those states to accede to it. They finally agreed that "the present declaration is not and shall not be binding, except between those powers who have acceded or shall accede to it."

The powers which acceded to the declaration are Baden, Bavaria, Belgium, Bremen, Brazil, Duchy of Brunswick, Chili, the Argentine Confederation, the Germanic Confederation, Denmark, the Two Sicilies, the Republic of the Equator, the Roman States, Greece, Guatemala, Hayti, Hamburg, Hanover, the Two Hesses, Lubeck, Mecklenburg Strelitz, Mecklenburg Schwerin, Nassau, Oldenburg, Parma, Holland, Peru, Portugal, Saxony, Saxe Attenburg, Saxe Coburg Gotha, Saxe Meiningen, Saxe Weimer, Sweden, Switzerland, Tuscany, Wurtemburg, Anhalt Dessau, Modena, New Grenada, and Maguay.

Mr. Secretary Marcy, in acknowledging, on the 28th of July, 1856, the communication of the declaration of Paris made to the government of the United States by the Count de Sartiges, proposed to add to the first article thereof the following words: "and that the private property of the subjects or citizens of a belligerent on the high seas shall be exempted from seizure by public armed vessels of the other belligerents, except it be contraband;" and Mr. Marcy expressed the willingness of the government of the United States to adopt the clause so amended, together with the other three principles contained in the declaration.

Mr. Marcy also stated that he was directed to communicate the approval of the President of the second, third, and fourth propositions, independently of the first, should the proposed amendment of the first article be unacceptable.

The United States minister in London, on the 24th of February, 1857, renewed the proposal in regard to the first article, and submitted a draft of convention, in which the article so amended would be embodied with the other three articles. But, before any decision was taken on this proposal, a change took place in the American government by the election of a new President of the United States, and Mr. Dallas announced, on the 25th of April, 1857, that he was directed to suspend negotiations on the subject; up to the present time those negotiations have not been renewed.

The consequence is, that the United States remaining outside the provisions of the declaration of Paris, the uncertainty of the law and of international duties with regard to such matters may give rise to differences of opinion between neutrals and belligerents which may occasion serious difficulties and even conflicts.

It is with a view to remove beforehand such "difficulties," and to prevent such "conflicts," that I now address you.

For this purpose I proceed to remark on the four articles, beginning, not with the first, but with the last

In a letter to the Earl of Clarenden of the 24th of February, 1857, Mr. Dallas, the minister of the United States, while submitting the draft of a new convention, explains the views of the government of the United States on the four articles.

In reference to the last article, he says: "The fourth of those principles, respecting blockades, had, it is believed, long since become a fixed rule of the law of war."

There can be no difference of opinion, therefore, with regard to the fourth article.

With respect to the third article, the principle laid down in it has long been recognized as law, both in Great Britain and in the United States. Indeed this part of the law is stated by Chancellor Kent to be uniform in the two countries.

With respect to the second article, Mr. Dallas says, in the letter before quoted: "About two years prior to the meeting of congress at Paris, negotiations had been originated and were in train with the maritime nations for the adoption of the second and third propositions substantially as enumerated in the declaration."

The United States have therefore no objection in principle to the second proposition.

Indeed her Majesty's government have to remark that this principle is adopted in the treaties between the United States and Russia of the 22d of July, 1854, and was sanctioned by the United States in the earliest period of the history of their independence by their accession to the armed neutrality.

With Great Britain the case has been different. She formerly contended for the opposite principles as the established rule of the law of nations.

But having, in 1856, upon full consideration, determined to depart from that rule, she means to adhere to the principle she then adopted. The United States, who have always desired this change, can, it may be presumed, have no difficulty in assenting to the principle set forth in the second article of the declaration of Paris.

There remains only to be considered the first article, namely, that relating to privateering, from which the government of the United States withhold their assent. Under these circumstances it is expedient to consider what is required on this subject by the general law of nations. Now, it must be borne in mind that privateers bearing the flag of one or other of the belligerents may be manned by lawless and abandoned men, who may commit, for the sake of plunder, the most destructive and sanguinary outrages.

There can be no question but that the commander and crew of the ship bearing a letter of marque must, by law of nations, carry on their hostilities according to the established laws of war. Her Majesty's government must, therefore, hold any government issuing such letters of marque responsible for, and liable to make good, any losses sustained by her Majesty's subjects in consequence of wrongful proceeding of vessels sailing under such letters of marque.

In this way the object of the declaration of Paris may, to a certain extent, be attained without the adoption of any new principle.

You will urge these views upon Mr. Seward.

The proposals of her Majesty's government are made with a view to limit and restrain that destruction of property and that interruption of trade which must, in a greater or less degree, be the inevitable consequence of the present hostilities. Her Majesty's government expect that these proposals will be received by the United States government in a friendly spirit. If such shall be the case, you will endeavor (in concert with M. Mercier) to come to an agreement on the subject binding France, Great Britain, and the United States.

If these proposals should, however, be rejected, her Majesty's government will consider what other steps should be taken with a view to protect from wrong and injury the trade and the property and persons of British subjects.

I am, &c., &c., &c.,

J. RUSSELL.

The Lord Lyons.

Mr. Adams to Mr. Seward.

No. 41.]

Legation of the United States,
London, September 9, 1861.

Sir: I have the honor to acknowledge the reception at the hands of your messenger, Captain Schultz, of a bag purporting to contain public despatches from Mr. Robert Bunch, the consul at Charleston, to Lord Russell, the head of the foreign office in London. In conformity with the instructions contained in your No. 63, dated the 17th of August, I immediately addressed a note to Lord Russull, explanatory of the reasons why such a bag was received through this channel, a copy of which is herewith transmitted. In it you will perceive that I have endeavored to adhere as closely as possible to the language of your communication to me. At the same time, in obedience to the directions contained in your No. 64, dated the 17th of August, I addressed another note to his lordship stating the grounds of dissatisfaction felt by the President with the conduct of Mr. Bunch, and requesting his removal. A copy of this note is likewise appended to the present despatch. These two notes, together with the bag in exactly the same condition in which I received it from Captain Schultz, I directed my assistant secretary, Mr. Benjamin Moran, to take with him to the foreign office, and there to deliver into the hands of his lordship if present, or, if absent from town, into those of one of her Majesty's under secretaries of state for foreign affairs. Accordingly, on the afternoon of Tuesday, the 4th instant, at about quarter past three o'clock, as Mr. Moran reports to me, he went to the foreign office, and finding Lord Russell to be absent from town, he delivered the bag and the notes into the hands of Mr. Layard, one of the under secretaries. Since that time I have had no reply from his lordship, although I received on Saturday last two notes from him on matters of minor consequence. I had hoped to send something by Captain Schultz, who returns in the Great Eastern, and I shall yet do so if it should come before the bag closes. I have consented to the departure of Captain Schultz, mainly because Mr. Dayton has expressed a great desire that he should take charge of his despatches as soon as possible.

I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

P. S.—I have just learned from Mr. Davy that the Bermuda put into Falmouth for coals. Her cargo in arms, ammunition, and clothing, is valued at £80,000 sterling. The importance of intercepting her cannot be overestimated.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, September 3, 1861.

MY LORD: I have the honor to inform your lordship that I have received by the hands of a special messenger of the government just arrived in the steamer Europa from the United States a sealed bag marked Foreign Office, 3, with two labels, as follows:

"On her Britannic Majesty's service. The right honorable the Lord John Russell, M. P., &c., &c., &c. Despatches in charge of Robert Mure, esq.

"ROBERT BUNCH."

"On her Britannic Majesty's service. The right honorable the Lord John Russell, M. P., her Britannic Majesty's principal secretary of state for foreign affairs, foreign office, London.

"R. BUNCH."

Agreeably to instructions communicated by my government to me, to see that this bag is delivered accordingly to its address in exactly the condition in which I received it, I have the honor to transmit the same by the hands of my assistant secretary, Mr. Benjamin Moran, who is directed to deliver it into your own hands, if present, or, if absent, into those of one of the under secretaries of state for foreign affairs.

It now becomes my duty to explain the circumstances under which this bag has found its way from the possession of the person to whom it was originally intrusted into that of the authorities of the United States.

It appears that the Secretary of State of the United States, on the 15th of August last, received information deemed worthy of confidence that Mr. Robert Mure, the bearer of this bag, was at the same time acting as a bearer of despatches from the insurrectionary authorities of Richmond to your lordship. Other information came that he was a bearer of despatches from the same authorities to their agents in London. And still other information from various sources agreed in affirming that he was travelling under a passport issued by her Majesty's consul at Charleston. Upon this information, instructions were sent forthwith to the police of New York to detain Mr. Mure, and any papers which might be found in his possession. He was accordingly detained, and is now in custody at Fort Layfette, awaiting full disclosures. A large number of papers were found upon him, an examination of which was found fully to sustain some portions of the information which had been furnished, and to prove that Mr. Mure was acting as the bearer of a treasonable correspondence between persons acting in open arms against the government of the United States and their friends and emissaries in Great Britain. He had also with him several copies of a printed pamphlet purporting to be a narrative of the events of the 21st of July at Manassas Junction, addressed to persons in England, and evidently intended to further the purposes of the conspirators in South Carolina.

Robert Mure, the bearer of these papers, is represented to be a naturalized citizen of the United States, where he has resided for thirty years, and as actually holding a commission of colonel in the insurgent forces of South Carolina.

It turned out to be true that in the hands of this gentleman were found in an open envelope a paper purporting to be a passport, a copy of which I have the honor to append to this note as paper marked A; and a letter of instructions, signed by Robert Bunch, her Majesty's consul for the United States, residing at Charleston, a copy of which is likewise appended, as paper marked B.

In the absence of all other evidence against Mr. Bunch to prove his departure from the line of his legitimate duty, it is quite enough to call the attention of your lordship to the fact that in issuing such a paper as this passport he has acted in direct contravention of a regulation issued by the proper department of the United States of which he had received notice, which forbids all recognition of any diplomatic or consular passport so far as to permit the bearer to pass through the lines of the national forces or out of the country unless it should be countersigned by the Secretary of State and the commanding general of the army of the United States. Mr. Mure attempted to do both with a paper bearing no such signatures.

There is, however, other and still more serious cause of complaint against Mr. Bunch, as disclosed by the papers of Mr. Mure, the exposition of which I am compelled to reserve for a separate communication. The present purpose is confined to an explanation of the reasons which have actuated the government of the United States in taking the extraordinary step which has had for one of its consequences the effect of diverting, be it but for a moment, a part of the official correspondence of her Majesty's government from the channel in which it was originally placed. I am directed to express the regret the government feels that such a measure had become imperative, and to assure your lordship of its earnest desire to make any suitable amends which may justly be required. If in the process there may have happened a slight interruption of the correspondence of the British consul, it is their desire that the pressing nature of the emergency may induce your lordship to excuse it.

It is needless to say that the bag passes into the hands of your lordship in precisely the same condition it came from those of Mr. Mure. Comity towards the government of a friendly nation, together with a full confidence in its justice and honor, to say nothing of a sense of propriety, would deter the government which I have the honor to represent from entertaining the idea of breaking the seals which protect it even were there ten times more reason than there is to presume an intention under so sacred a sanction to perpetrate a wrong certainly on one and perhaps on both governments. Still less is it the intention of the American government to intimate the smallest suspicion of any privity whatever on the part of the authorities in Great Britain in aiding, assisting, or countenancing a supposed design injurious to the United States and subversive of their sovereignty. Much ground as there is for presuming that it never was the intention of those who prepared the package to forward it to its nominal address, but that it was rather the design, after bringing bad matter under this sacred sanction safely through the dangers of hostile scrutiny, to open the bag themselves and to disseminate the contents far and wide among the evil-disposed emissaries to be found scattered all over Europe; this consideration has never weighed a single moment to change their views of this trust when put in the balance with the strong reliance placed upon the good faith of her Majesty's constitutional advisers. Least of all has it been in the thought of any one that your lordship would consent in any way to receive the papers, if they are really illegal in their character or dangerous or injurious to the United States.

Should it, however, prove on inspection that any abuse has been attempted in America of the confidence to which her Majesty's government is in every way entitled, I am directed to express to your lordship the hope that any papers of a treasonable character against the United States may be delivered up to me for the use of my government, and that her Majesty's consul at Charleston, if shown to be privy to the transmission of them under such a form, may be made promptly to feel the severe displeasure of the government whose good faith he has sought to dishonor. For there can be no difference of opinion as to the nature of an offence which involves the perversion by the agent of one government of the hospitality afforded to him by another to conspire against its safety, dignity, and honor.

I pray your lordship to accept the assurances of the highest consideration with which I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Honorable EARL RUSSELL, *&c., &c., &c.*

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, September 3, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, deeply regrets the painful necessity that compels him to make a representation to the right honorable Lord Russell, her Majesty's principal secretary of state for foreign affairs, touching the conduct of Mr. Robert Bunch, her Majesty's consul for the port of Charleston, in the United States. It appears from the contents of one of the many letters found in the possession of Mr. Robert Mure, bearer of despatches from Mr. Bunch to the government of Great Britain, but detained as an agent of the enemies of the United States, that the following statement is made of the action of Mr. Bunch in Charleston.

"Mr. B., on oath of secrecy, communicated to me also that the *first step* to recognition was taken. He and Mr. Belligny together sent Mr. Trescot to Richmond yesterday to ask Jeff. Davis, President to ——— the treaty of ——— to ——— the neutral flag covering neutral goods to be respected. This is the first step of direct treating with our government. So prepare for active business by 1st January."

The undersigned is instructed to submit this information to her Majesty's government with a request that, if it be found to be correct, Mr. Bunch may be at once removed from his office. The undersigned is further instructed to add that the President will cheerfully accord an exequatur to any person who may be appointed to succeed him, who will faithfully perform his functions without injury to the rights and the interests of the United States.

The undersigned avails himself of this occasion to renew to Lord Russell the assurances of his highest consideration.

CHARLES FRANCIS ADAMS.

The Right Honorable Earl Russell, *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 84.]

Department ot State,
Washington, September 10, 1861.

Sir: I send you an extract of a letter just received from Mr. Francis Bernard, in the island of Trinidad. It shows a clear case of connivance by the authorities of that island with the insurgents of the United States, in violation of the rights and dignity of this government, if the facts are truly presented. You will bring the subject to the notice of Lord Russell, and will, if the case shall not be satisfactorily explained, ask for such proceedings in the premises as shall make the authorities of the island sensible of the displeasure of the imperial government, and prevent such occurrences in the future.

For your satisfaction, I state that a new consul has been appointed at Trinidad, and that he is now on his way to that island.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr. Bernard to Mr. Seward.

[Extract.]

Trinidad, *August* 7, 1861.

Sir: I beg to inform you that on the 30th ultimo a steam sloop-of-war (Semmes commander) carrying a secession flag, five guns, some of a large calibre, and a crew of from 120 to 150 men, sailed boldly in our harbor and reported herself to the authorities of this island as being on a cruise. She was last from Puerto Cabello; and since she succeeded in getting out of the Mississippi river she has already captured no less than eleven American vessels. I have ascertained the names of some of them, viz: the Joseph Maxwell, Abe Bradford, Minnie Miller, West Wind, of Westerly, with a cargo of sugar from Havana, and Golden Rocket, which was burnt by her off the coast of Cuba.

The Sumter landed eight of her prisoners here in a destitute condition; but a contribution has been raised here for their benefit, sufficient to supply their immediate wants, and I will take care that they are provided for till an opportunity offers to ship them to the States.

The Sumter remained here till the 5th instant, and was allowed to supply herself with coals and other necessary outfits. The British flag was hoisted on the government flag-staff for her arrival, and the officers of the British war vessel "Cadmus" appeared to be on amicable terms with those of the Sumter. The merchant who supplied the Sumter with coals did it with the consent and approval of our attorney general.

Being a loyal American, I consider it my duty to send you these informations, as there has been no consul of our nation in this island for many months.

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I am, sir, your most obedient servant,

FRANCIS BERNARD.

The SECRETARY OF STATE *of the United States.*

Mr. Seward to Mr. Adams.

No. 85.]

DEPARTMENT OF STATE,
Washington, September 10, 1861.

SIR: I transmit a copy of an intercepted letter of the 30th of July last, from John P. Baldwin, of Richmond, Virginia, to Henry Adderley, at Nassau, New Providence, relative to the shipment of arms and powder from that place for the use of the insurgents in this country. The existing British statute for the prevention of armed expeditions against countries at peace with Great Britain is understood to be similar to our act of Congress of the 5th of April, 1818. Proceedings like that referred to in the letter of Baldwin, however, afford us special reason to expect legislation on the part of the British government of the character of our act of 1838, referred to in my instruction to you of the 7th instant, numbered 83. It may be, however, that the British executive government now has the power to prevent the exportation of contraband of war from British colonies near the United States for the use of the insurgents in the south. Should this be the fact, you will bring the subject to the attention of Lord Russell, and request that proper instructions in regard to it may be given to the colonial authorities.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHARLES F. ADAMS, Esq.

Mr. Baldwin to Mr. Adderley.

RICHMOND, *Virginia, July* 30, 1861.

MY DEAR ADDERLEY: The secretary of the navy of the Confederate States of America has ordered from England, to be shipped to Nassau, a quantity of arms and powder. I have recommended them to be consigned to you, and

I have to ask of you, as a favor to me, to take good care of them. I will be with you soon, and will expect your aid in transhipping the same.

I must request you to regard this as a confidential communication, and will explain the reasons when we meet. You need not write me at all on the subject.

Hoping soon to see you, I remain your friend,

JNO. P. BALDWIN.

HENRY ADDERLEY, Esq.,
Nassau, N. P., Bahamas.

Mr. Seward to Mr. Adams.

No. 86.]

DEPARTMENT OF STATE,
Washington, September 11, 1861.

SIR: Your despatch of August 23d has been received.

The inefficiency of the British laws to prevent violations of our rights is deeply to be regretted. We shall necessarily be obliged to exercise vigilance in detecting the unlawful character and objects of British vessels approaching our coasts, which will not be pleasant to the government whose flag they will be perverting to such unfriendly uses.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 44.]

LEGATION OF THE UNITED STATES,
London, September 14, 1861.

SIR: I now have the honor to transmit copies of two notes received yesterday from Lord Russell, in answer to my notes of the 3d of September, transmitting to him the bag of Mr. Bunch. It appears from one of them that Mr. Bunch has been acting under secret instructions, which are only now acknowledged because they have come to light, and that his granting a safe conduct to an emissary of secession, charged with treasonable papers, is no objection to his neutral character in the eyes of his employers. With regard to the question presented in the other note, it is satisfactory to me, at least in so far as it devolves all responsibility for the further treatment of the question into more capable hands. I transmit also a copy of my reply.

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Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

FOREIGN OFFICE, *September* 9, 1861.

SIR: I received, with some surprise, from Lord Lyons an intimation that a sealed bag, directed by one of her Majesty's consuls to her Majesty's secretary of state, had been seized and detained by order of the Secretary of State of the United States.

It seems to have been suspected that her Majesty's consul had inserted in his official bag, and covered with his official seal, the correspondence of the enemies of the government of the United States now engaged in open hostilities against them.

Had her Majesty's consul so acted he would have, no doubt, been guilty of a grave breach of his duty both towards his own government and that of the United States; but I am happy to say there does not appear, on opening the bag at the foreign office, to be any ground for such a suspicion.

Her Majesty's government were advised that the suspension of the conveyance by post of letters from British subjects between the northern and the southern States, was a contravention of the treaty on this subject contracted by the two governments. Her Majesty's government have been unwilling to press this view on the United States; but this stoppage of the post has occasioned great inconvenience to individuals, and I enclose a copy of a note from Mr. Bunch to the under secretary of foreign affairs, showing the mode in which he has endeavored to palliate the evil by enclosing private letters in his consular bag.

I shall address any further communication I may have to make on this subject to Lord Lyons.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Charleston, *August* 5, 1861.

Mr. Bunch presents his compliments to her Majesty's under secretary of state for foreign affairs, and takes leave to enclose to him herewith certain letters which are intended for the post.

They are principally letters of servants, governesses, &c., (British subjects,) which, owing to the discontinuance of the post, they are unable to send in any other way. Some also contain dividends, the property of British subjects, which they could scarcely receive without Mr. Bunch's intervention.

Mr. Bunch hopes that there is no irregularity in this proceeding. No expense of postage is incurred by the foreign office, as the bag in which the letters are contained goes by a private hand to Liverpool.

Her Majesty's Under Secretary of State
For Foreign Affairs.

Foreign Office, *September* 9, 1861.

The undersigned, her Majesty's principal secretary of state for foreign affairs, has received a communication from Mr. Adams, envoy extraordinary and minister plenipotentiary of the United States at this court, dated the 3d instant, giving some information regarding the conduct of Mr. Bunch, her Majesty's consul at Charleston, in the United States, and requesting, on the part of the government of the United States, that Mr. Bunch may at once be removed from his office.

The undersigned will, without hesitation, state to Mr. Adams that in pursuance of an agreement between the British and French governments, Mr. Bunch was instructed to communicate to the persons exercising authority in the so-called Confederate States, the desire of those governments, that the second, third, and fourth articles of the declaration of Paris should be observed by those States in the prosecution of the hostilities in which they were engaged. Mr. Adams will observe that the commerce of Great Britain and France is deeply interested in the maintenance of the articles providing that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to condemnation.

Mr. Bunch, therefore, in what he has done in this matter, has acted in obedience to the instructions of his government, who accept the responsibility of his proceedings so far as they are known to the foreign department, and who cannot remove him from his office for having obeyed his instructions.

But when it is stated in a letter from some person not named, that the first step to the recognition of the southern States by Great Britain has been taken, the undersigned has to decline all responsibility for such statement.

Her Majesty's government have already recognized the belligerent character of the southern States, and they will continue to consider them as belligerents. But her Majesty's government have not recognized, and are not prepared to recognize the so-called Confederate States as a separate and independent State.

The undersigned requests Mr. Adams to accept the assurance of his highest consideration.

RUSSELL.

Charles Francis Adams, Esq., *&c.*, &c., *&c.*

Legation of the United States,
London, September 13, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, has the honor to acknowledge the reception this day of two notes from the right honorable Earl Russel, her Majesty's principal secretary of state for foreign affairs, both dated the 9th of September, and both in reply to notes addressed to his lordship by the undersigned on the 3d instant, touching the case of Mr. Bunch, her Majesty's consul at Charleston, and the mode of transmission of his despatches. The undersigned has the honor to inform his lordship that copies of these notes will be transmitted by the next steamer for the consideration of the government of the United States.

The undersigned requests Earl Russell to accept the assurance of his highest consideration.

CHARLES FRANCIS ADAMS.

Right Honorable Earl Russell, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 88.]

Department of State,
Washington, September 14, 1861.

Sir: Your despatch of August 30 (No. 34) has just been received. Your note to Lord John Russell, which accompanies it, is approved. My despatch to you, (No. 83,) under the date of the 7th instant, will have reached you before this communication can arrive. You will have learned from that paper that your course, as now made known to me, was anticipated by the President, and that he had already directed that the negotiation for our adhesion to the declaration of the congress of Paris should be suspended.

It is due to the British government to say that the letter of Lord John Russell to Mr. Edwards, upon Dominican affairs, to which you refer, and a copy of which you enclose, was read to me by Lord Lyons, pursuant to instructions from Lord Russell.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 89.]

Department of State,
Washington, September 14, 1861.

Sir: Your despatch of August 30 (No. 35) has been received. While I regret with you that the administration of the laws of Great Britain is such as to render comparatively ineffectual your efforts to defeat there the designs of parties in that country injurious to the United States, I have great pleasure in saying that the information we receive from you concerning them is often very valuable, and enables us to put our own authorities here in a way of vigilant surveillance which promises good results.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

[Confidential.]

No. 95.]

Department of State,
Washington, September 25, 1861.

Sir: Your despatch of September 7 (No. 39) has just been received. Your review of the correspondence between us and the British government since you entered upon your mission is quite satisfactory, and we have every reason to be content with the details as with the results.

The time which has elapsed since the insurgents made their first unnatural appeal to the sympathies and aid of foreign powers for the overthrow of our government has been sufficient to draw out all their strength and exhaust in some measure their passion. On the other hand, the strength of the Union manifests itself with constant augmentation. Every day brings two thousand men and some new ship-of-war into activity, and the insurrection, already, is finding itself obliged to provide for a long and merely defensive contest, desolating the States which should constitute the new confederacy, while the loyal States remain prosperous and happy.

I think that Great Britain will soon be able to see, what she has hitherto been unwilling to see, that, if she, like ourselves, seeks peace and prosperity on this continent, she can most effectually contribute to their restoration by manifesting her wishes for the success of this government in suppressing the insurrection as speedily as possible.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 97.]

Department of State,
Washington, September 25, 1861.

Sir: Your despatch of September 6, No. 38, has been received.

Our naval force is rapidly increasing, and the command of it has recently been reorganized. We are preparing for some vigorous demonstrations on the coast, to begin in about ten days; and I trust, therefore, that we shall be able to defeat on this side the enterprises of the insurgents which we have been unable to prevent on the other.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

[Extract.]

No. 50.]

Legation of the United States,
London, September 28, 1861.

Sir: * * * * * * * *

During my stay at Abergeldie I alluded to instructions received at the moment of my leaving London, in your despatch, No. 84, of the 10th of September, directing me to make a complaint of the authorities at Trinidad for their mode of reception of the insurgent privateer, the Sumter. I read to him the copy of the letter of Mr. Bernard, which was enclosed. But I contented myself with only mentioning the subject, as I said I supposed I should be obliged to present the case hereafter, in a more formal way, in writing.

His lordship expressed a wish that I should take that course. The matter had already come before the colonial office, and it had been referred to the law officers of the crown, to report what was the action proper to be taken in similar cases.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Adams to Mr. Seward.

No. 52.] LEGATION OF THE UNITED STATES,
London, September 28, 1861.

SIR: I am much gratified to perceive, by the terms of your despatch, No. 83, dated the 7th of this month, a substantial ratification of the position taken by me in regard to Lord Russell's note of the 19th of August, and to the declaration which he proposed to append to the convention concerning neutral rights. I find in it, too, a general coincidence in the argument presented by me in my reply to his lordship on the 23d of August, a copy of which could not have reached the department down to the latest dates yet received. There are some views offered, however, in my note, which are not touched upon in that despatch. I am, therefore, not as yet fully certain whether, as a whole, it has met with the approbation of the President. For this reason I decided not to hold communication on the subject with Lord Russell, during the time of my late stay under his roof, but rather to wait until after the arrival of the next despatches from the department, which will probably bring a final review of the negotiation, as it appears, after an examination of all the papers that belong to it. I shall then be in a position to judge of the propriety of any further action which it may be advisable to pursue. His lordship informed me, on my taking leave of him, that he expected to return to London by the 14th of next month, after which I anticipate no delay, like the late one, in the transaction of important business.

I have the honor to be, sir, your obedient servant,
CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Adams to Mr. Seward.

[Extract.]

No. 53.] LEGATION OF THE UNITED STATES,
London, October 4, 1861.

SIR: I have to acknowledge the reception of despatches from the department, numbered from 85 to 89, both inclusive.

The despatch, No. 85, dated the 10th of September, like its immediate predecessor, No. 84, of the same date, though received here a week earlier, relates to cases of violation of neutrality in the British islands in the West Indies. I have now the honor to forward copies of two notes addressed by me to Lord Russell, one of the 30th of September, and the other of the following day, touching these questions.

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I have the honor to be, sir, your obedient servant,
CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, September 30, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States, regrets to be obliged to inform the right honorable Earl Russell, her Majesty's principal secretary of state for foreign affairs, that he has been instructed by the President of the United States to prefer a complaint against the authorities of the island of Trinidad for a violation of her Majesty's proclamation of neutrality, by giving aid and encouragement to the insurgents of the United States. It appears by an extract from a letter received at the Department of State from a gentleman believed to be worthy of credit, a resident of Trinidad, Mr. Francis Bernard, a copy of which is submitted herewith, that a steam vessel, known as an armed insurgent privateer, called the Sumter, was received on the 30th of July last at that port, and was permitted to remain for six days, during which time she was not only furnished with all necessary supplies for the continuance of her cruise, under the sanction of the attorney general, but that her Majesty's flag was actually hoisted on the government flag-staff in acknowledgment of her arrival.

The undersigned has been directed by his government to bring this extraordinary proceeding to the attention of Lord Russell, and, in case it shall not be satisfactorily explained, to ask for the adoption of such measures as shall insure, on the part of the authorities of the island, the prevention of all occurrences of the kind during the continuance of the difficulties in America.

The undersigned deems it proper to add, in explanation of the absence of any official representation from Trinidad to substantiate the present complaint, that there was no consul of the United States there at the time of the arrival of the vessel. The undersigned had the honor, a few days since, to apprise Lord Russell of the fact that this deficiency had been since supplied, by preferring an application for her Majesty's exequator for a new consul, who is already on his way to occupy his post.

The undersigned begs to renew to Earl Russell the assurances of his highest consideration.

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, *&c., &c., &c.*

Mr. Adams to Earl Russell.

LEGATION OF THE UNITED STATES,
London, October 1, 1861.

MY LORD: It is with much regret that I find myself receiving, at every fresh arrival from the United States, instructions from my government to make representations to your lordship concerning alleged violations of her Majesty's proclamation of neutrality, committed by British subjects through the channel of the colonies situated near the United States. I have the honor now to submit to your lordship's consideration the copy of an intercepted letter from a person named John P. Baldwin, living at Richmond, in Virginia, in the service of the insurgents, addressed to Henry Adderley, esquire, of Nassau, New Providence. It appears by this letter that Nassau has been made, to some extent, an entrepot for the transmission of articles contraband of war from Great Britain to the ports held by the insurgents. It would be a great source of satisfaction to the government of the United States to learn that her Majesty's government felt itself clothed with the necessary power to prevent the exportation of such contraband from the colonies for the use of the insurgents, and that it would furnish the necessary instructions to the local authorities to attain that end.

I pray your lordship to accept the assurances of the highest consideration, with which I have the honor to be your lordship's most obedient servant,

CHARLES FRANCIS ADAMS.

The Right Hon. EARL RUSSELL, *&c.*, *&c.*, *&c.*

Mr. Adams to Mr. Seward.

No. 58.]

LEGATION OF THE UNITED STATES,
London, October 11, 1861.

SIR: I have the honor to enclose a copy of Lord Russell's note to me of the 4th instant, in reply to my representation of the conduct of the authorities of the island of Trinidad, made under instructions from the department.

It will appear from this that the governor of Trinidad, by hoisting the British flag on the government flag-staff, probably desired to signify to the officers of the Sumter, on their arrival, the neutral character of the island, but that he in the meantime forgot that the act is susceptible of a very different construction in the popular mind.

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I have the honor to be, sir, your obedient servant,

CHARLES FRANCIS ADAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Earl Russell to Mr. Adams.

FOREIGN OFFICE, *October* 4, 1861.

The undersigned, her Majesty's principal secretary of state for foreign affairs, has had the honor to receive a complaint from Mr. Adams, envoy extraordinary and minister plenipotentiary of the United States at this court, against the authorities of the island of Trinidad for a violation of her Majesty's proclamation of neutrality, by giving aid and encouragement to the insurgents of the United States.

It appears, from the accounts received at the colonial office and at the admiralty, that a vessel bearing a secession flag entered the port of Trinidad on the 30th of July last.

Captain Hillyar, of her Majesty's ship "Cadmus," having sent a boat to ascertain her nationality, the commanding officer showed a commission signed by Mr. Jefferson Davis, calling himself the President of the so-styled Confederate States.

The "Sumter," which was the vessel in question, was allowed to stay six days at Trinidad, and to supply herself with coals and provisions, and the attorney general of the island perceived no illegality in these proceedings.

The law officers of the crown have reported that the conduct of the governor was in conformity to her Majesty's proclamation.

No mention is made by the governor of his hoisting the British flag on the government flag-staff; and if he did so, it was probably in order to show the national character of the island, and not in acknowledgment of the arrival of the "Sumter."

There does not appear, therefore, any reason to believe that her Majesty's proclamation of neutrality has been violated by the governor of Trinidad, or by the commanding officer of her Majesty's ship "Cadmus."

The undersigned requests Mr. Adams to accept the assurance of his highest consideration.

RUSSELL.

Charles Francis Adams, Esq., *&c., &c., &c.*

Mr Seward to Mr. Adams.

No. 108.]

Department of State,
Washington, October 22, 1861.

Sir: The receipt of your despatch of the 14th of September (No. 44) has been already acknowledged.

It was accompanied by Earl Russell's reply to the note which, in execution of my instructions, you addressed to him on the subject of the detention of a bearer of despatches sent by Robert Bunch, her Majesty's consul at Charleston, and the substitution by me of another person to convey his consular bag to Great Britain.

Earl Russell says, in his note, that if it had been true (as we apprehended) that Mr. Bunch had inserted into his official bag and covered with his official seal the correspondence of the enemies of this government in the United States, he would have been guilty of a grave breach of his duty towards his own government and that of the United States. Earl Russell says also, that on the opening of the bag at the foreign office (in London) no ground for that suspicion was revealed.

These declarations, made with unquestioned candor and freedom, are entirely satisfactory upon the main point involved in your note. It is therefore a pleasant duty for me to instruct you to reply to Earl Russell that this government regrets the interruption of the passage of the consular despatches, which has occurred in consequence of a mistaken suspicion that the agent who transmitted them was abusing the confidence of the two governments. I sincerely hope that no serious inconvenience resulted from the delay.

Earl Russell, after making the explanations which I have quoted, proceeds to remark that her Majesty's government was advised that the suspicion of the conveyance by post of letters from British subjects between the northern States and the southern States was in contravention of the treaty on this subject contracted between the two governments; that her Majesty's government had been, nevertheless, unwilling to press this view on the United States; but that this stoppage of the post has occasioned great inconvenience to individuals. His lordship then submits a copy of a note which Mr. Bunch had written to the under secretary of state, showing the mode in which he had endeavored to palliate the evil by enclosing private letters in his official bag. His lordship then dismisses the subject, saying that he shall address any further communication he may have to make thereon, to Lord Lyons.

Mr. Bunch, in his note, states that he encloses in the bag, to the under secretary's address, certain letters which are intended for the post, and that they are principally letters of servants, governesses, &c., British subjects, which, owing to the discontinuance of the post, they are unable to send in any other way; also, that some of the letters contain dividends, the property of British subjects, which they could scarcely receive without Mr. Bunch's intervention. He adds that he hopes that there is no irregularity in this proceeding, since no expense of postage is incurred, because the bag in which the letters are contained goes by a private hand to Liverpool. I read this note under the light thrown upon it by the explanations of Earl Russell, which show that the whole correspondence contained in the bag was innocent.

In these circumstances, what remains open to special exception in Mr. Bunch's proceeding is, his substitution of his consular bag and official seal for the mail bag and mail locks of the United States, and of his own mail carrier for the mail carriers of the United States.

The proceeding of the consul in these respects, certainly is not defensible on any ground of treaty or international law; nor does Earl Russell in any way imply that he deems it is so. The proceeding however was practically harmless, and it is not likely to be repeated.

I confess to the fact of the interruption of the post, and also that it works literally a non-fulfilment of a treaty stipulation. I deplore it for that reason, as well as for the public and private injuries that it occasions, not only abroad but at home. But the British government is well aware that the interruption has occurred, not through the deliberate or even voluntary consent of the government, but through the sudden violence of an insurrection which has not only obstructed the mails, but which even seeks to overthrow not only the treaty in question, but even the government of the United States and the Union itself, which constitutes them one treaty-making and treaty-observing nation. Suppression of the correspondence between parties in that nation with each other in this country and in foreign countries is a measure which is essential to the suppression of the insurrection itself, and to a complete restoration of the functions of the government throughout the Union. I feel sure that the magnanimity of the British government may be relied upon not to complain, at one and the same time, of the breach of our international postal treaty under such circumstances, and of our resort to a measure which is indispensable to complete our ability to fulfil it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD,

CHARLES FRANCIS ADAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Adams.

No. 109.]

DEPARTMENT OF STATE,
Washington, October 23, 1861.

SIR: I recur once more to your despatch of September 14, No. 44. On the 3d of that month you addressed a note to Earl Russell, in which you informed him, by my direction, that from the contents of the many letters found in the possession of Mr. Robert Mure, bearer of despatches to the government of Great Britain, but detained at New York as an agent of the enemies of the United States, the following statement is made of the action of Mr. Bunch in Charleston. "Mr. Bunch, on oath of secrecy, communicated to me also that the first step to recognition was taken; that he and Mr. Belligny together sent Mr. Trescot to Richmond yesterday to ask Jeff.

Davis, President, to ——— the treaty of ——— to ——— the neutral flag covering neutral goods to be respected. This is the first step of direct treating with our government. So prepare for active business by first of January."

You submitted this information to her Majesty's government with a request on the part of the President of the United States that, if it should be found to be correct, Mr. Bunch might be at once removed from his office. And you further added, by my direction, that the President would cheerfully accord an exequator to any person who might be appointed to succeed Mr. Bunch, who would faithfully perform his functions without injury to the rights and interests of the United States.

There is appended to your despatch now before me the written answer of the Earl Russell to your note thus recited.

His lordship answers that he will, without hesitation, state to Mr. Adams that, in pursuance of an agreement between the British and French governments, Mr. Bunch was instructed to communicate to the persons excercising authority in the so-called Confederate States the desire of those governments that the second, third, and fourth articles of the declaration of Paris should be observed by those States in the prosecution of the hostilities in which they were engaged. His lordship then asked you to observe that the commerce of Great Britain and France is deeply interested in the maintenance of the articles providing that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to confiscation. Earl Russell thereupon proceeds to say that Mr. Bunch, in what he has done in this matter, has acted in obedience to the instructions of his government, who accept the responsibility of his proceedings, so far as they are known to the foreign department, and who cannot therefore remove him from his office for having obeyed their instructions. But his lordship adds that, when it is stated in a letter from some person not named that the first step to the recognition of the southern States by Great Britain has been taken, he, Earl Russell, begs to decline all responsibility for such statement; and he remarks on this branch of the subject that her Majesty's government have already recognized the belligerent character of the southern States, and they will continue to consider them as belligerents, but that her Majesty's government have not recognized, and are not prepared to recognize, the so-called Confederate States as a separate and independent State.

You are instructed to reply to this note of her Majesty's principal secretary of state for foreign affairs:

First. That her Majesty's government having avowed that Mr. Bunch acted under their instructions, so far as his conduct is known to the foreign department, and that government having avowed their responsibility for his proceedings in that extent, it is admitted that, so far as that portion of the subject is concerned, the matter is to be settled directly with her Majesty's government.

Secondly. That a law of the United States forbids any person not specially appointed or duly authorized or recognized by the President, whether citizen or denizen, privileged or unprivileged, from counselling, advising, aiding, or assisting in any political correspondence with the government of any foreign state whatever, with an intent to influence the measures of any foreign government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the government. The proceeding of Mr. Bunch was clearly and distinctly in violation of this positive law.

Thirdly. This government finds no sufficient justification or excuse for the proceeding of Mr. Bunch, thus shown to be in violation of the law of the United States, in the consideration that Great Britain was deeply interested in the maintenance of the articles which provide that the flag covers the goods, and that the goods of a neutral taken on board a belligerent ship are not liable to confiscation.

It is enough to say on this subject that, in our view, the proper agents of the British government, to make known that interest here, are the diplomatic, not the consular agents of her Majesty; and that the only authority in this country to which any diplomatic communication whatever can be made is the government of the United States itself.

Still less can the United States admit that communication by Mr. Bunch, while exercising consular privileges with which he was clothed by the consent of the United States, with insurgents in arms against the federal government, is justified by the declaration of the British ministry that they have already recognized the belligerent character of the insurgents, and that they will continue to consider them as belligerents. It is understood to be true that her Majesty's government have heretofore issued a royal proclamation which they interpret as declaring that they recognize the insurgents as a belligerent. But it is also true that this government has, with equal decision and with equal resolution, announced to the British government that any such declaration made by the British government would not be accepted as modifying, in the least degree, the rights or powers of this government, or the obligations due to them by Great Britain as a friendly nation. Still adhering to this position, the government of the United States will continue to pursue, as it has heretofore done, the counsels of prudence, and will not suffer itself to be disturbed by excitement. It must revoke the exequatur of the consul, who has not only been the bearer of communications between the insurgents and a foreign government, in violation of our laws, but has abused equally the confidence of the two governments by reporting, without the authority of his government, and in violation of their own policy as well as of our national rights, that the proceeding in which he was engaged was in the nature of a treaty with the insurgents, and the first step towards a recognition by Great Britain of their sovereignty. Moreover, the conduct of the person in question, even while this correspondence has been going on, as well as before it commenced, has been that, not of a friend to this government, or even of a neutral, but of a partisan of faction and disunion.

In reviewing this subject it would be unjust to her Majesty's minister residing here, as well as to her Majesty's government, to omit to say that that minister has, in all his proceedings, carefully respected the sovereignty and the rights of the United States, and that the arrangements which have been made by him, with the approval of this government, for communication between the British government and its consuls, through the national vessels of Great Britain entering blockaded ports without carrying passengers or private letters, seems to forbid any necessity for a recurrence of such proceedings as those which have brought about these explanations. You will inform the Earl Russell that the exequatur of Mr. Bunch has been withdrawn because his services as consul are not agreeable to this government, and that the consular privileges thus taken from him will be cheerfully allowed to any successor whom her Majesty may appoint, against whom no grave personal objections shall exist. It is a source of satisfaction to the President to reflect that the proceeding which I have been considering occurred some time ago, and that the part of it which was most calculated to offend, and to which exception is now especially taken, finds no support in the communication of Earl Russell.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Adams.

No. 112.]

DEPARTMENT OF STATE,
Washington, October 29, 1861.

SIR: Your despatch of October 11, No. 58, has been received. It is accompanied by Lord Russell's reply to the note which you addressed to him by my direction, asking an explanation of the conduct of the colonial authorities in Trinidad on the occasion of the entrance of the piratical vessel the "Sumter" into that port.

Lord Russell admits that the "Sumter," (an armed American vessel,) bearing an insurgent flag, entered the port of Trinidad, and when boarded and required to show her nationality, her commanding officer showed no legal authority from this government, but a pretended commission from a citizen of the United States, notoriously engaged in arms against them. Notwithstanding these facts, it is not denied that the governor of the island hoisted the British flag on the government flag-staff, although it is stated by Lord Russell that, if he did so, it was probably done in order to show the national character of the island, and not in acknowledgment of the arrival of the "Sumter."

His lordship, however, admits that the "Sumter" was allowed to remain six days in Trinidad, and that during her stay she was allowed to supply herself with coals and provisions. The armament, the insurgent flag, and the spurious commission told the governor, as they sufficiently prove to her Majesty's government, that the "Sumter" is and can be nothing else than a piratical vessel. Her depredations on the commerce of this country form a part of the history of our times. The British government has, moreover, been directly informed by us that the "Sumter" is a piratical craft, and that the navigators and seamen on board of her are pirates, punishable by the laws of their own country with death. Lord Russell informs us that the law officers of the crown have nevertheless reported that the conduct of the colonial authorities of Trinidad is in conformity to her Majesty's proclamation. Her Majesty's government dismiss our complaint from their consideration.

In view of these facts, it becomes my duty to instruct you to inform the British government that the President deeply regrets that Lord Russell is altogether unable to give to our complaint a satisfactory solution.

When it is considered how important a part commerce plays among the interests of our country, it will be seen that the United States cannot consent that pirates engaged in destroying it shall receive shelter and supplies in the ports of friendly nations. It tends to the universal derangement of commerce when piracy is anywhere tolerated, and therefore its suppression is a common interest of all civilized countries. But if any one power fails to preserve this interest, and to act for the common welfare, then it is easy to see that each state must provide for its own security at whatever cost, and however it may disturb the general harmony of the commercial world.

This government will consider how its safety may be best secured; but it cannot forbear from expressing a hope that her Majesty's ministers, in view of the gravity of the question, may deem the subject worthy of a deliberate reconsideration.

I am, sir, your most obedient servant,

WILLIAM H. SEWARD.

CHARLES FRANCIS ADAMS, Esq., &c., &c., &c.

Mr. Seward to Lord Lyons.

[Circular.]

Department of State,
Washington, October 4, 1861.

My Lord: I regret to inform you that information has reached this department that foreign vessels-of-war, which have entered ports of States in insurrection against the government of the United States, under blockade, have, in some instances, carried passengers, and in others private corres, pondence. It is presumed that such proceedings could not have taken place with the knowledge or approval of the governments of foreign countries. With a view, however, to prevent any misunderstanding in future, it is distinctly to be understood that no foreign vessel-of-war, which may enter or depart from a blockaded port of the United States, will carry any person as a passenger, or any correspondence other than that between the government of the country to which the vessel may belong and the diplomatic and consular agents of such country at the ports adverted to.

I avail myself of this occasion to offer to your lordship a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

To the Right Honorable Lord Lyons, *&c.*, &c., *&c.*

Lord Lyons to Mr. Seward.

British Legation,
Washington, D. C., October 12, 1861.

Sir: I have the honor to acknowledge the receipt of your note of the 4th instant, relative to communications between ships-of-war and the ports in the southern States, now under blockade.

You have apprised me in that note that information has reached the Department of State that foreign vessels-of-war which have entered those ports since they were blockaded, have in some instances carried passengers, and in others private correspondence. You were so good as to assure me verbally, yesterday, that no British ship-of-war was included among those to which your note thus referred. Indeed, I have every reason to believe that, with a single exception, no British ship-of-war has communicated with any of the ports under blockade. The ship which I except is the "Steady;" of my intention to request the commander of this ship to leave official despatches at Charleston, I had the honor to inform you on the 18th of last month. The "Steady" accordingly sailed for Charleston a few days afterwards. She carried no letters except official despatches from me or other authorities of foreign governments in the United States, and no passenger excepting Mr. Fullaston, her Majesty's acting consul at Savannah, who was landed at Charleston on his way back to his post.

As several of my colleagues have expressed to me their desire to send official despatches to the consuls of their respective governments by any of her Majesty's ships which may hereafter convey despatches for me to the ports under blockade, I shall be much obliged if you will inform me whether you see any objection to my forwarding to those ports, by her Majesty's ships, despatches addressed by official authorities of foreign countries to other official authorities of their own countries.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Lord Lyons to Mr. Seward.

WASHINGTON, *October* 14, 1861.

SIR: Her Majesty's government were much concerned to find that two British subjects, Mr. Patrick and Mr. Rahming, had been subjected to arbitrary arrest; and although they had learnt from a telegraphic despatch from me that Mr. Patrick had been released, they could not but regard the matter as one requiring their very serious consideration.

Her Majesty's government perceive that when British subjects as well as American citizens are arrested they are immediately transferred to a military prison, and that the military authorities refuse to pay obedience to a writ of habeas corpus.

Her Majesty's government conceive that this practice is directly opposed to the maxim of the Constitution of the United States "that no person shall be deprived of life, liberty, or property without due process of law."

Her Majesty's government are willing, however, to make every allowance for the hard necessities of a time of internal trouble; and they would not have been surprised if the ordinary securities of personal liberty had been temporarily suspended, nor would they have complained if British subjects falling under suspicion had suffered from the consequences of that suspension.

But it does not appear that Congress has sanctioned in this respect any departure from the due course of law; and it is in these circumstances that the law officers of the crown have advised her Majesty's government that the arbitrary arrests of British subjects are illegal.

So far as appears to her Majesty's government, the Secretary of State of the United States exercises, upon the reports of spies and informers, the power of depriving British subjects of their liberty, of retaining them in prison, or liberating them, by his own will and pleasure.

Her Majesty's government cannot but regard this despotic and arbitrary power as inconsistent with the Constitution of the United States, as at variance with the treaties of amity subsisting between the two nations, and as tending to prevent the resort of British subjects to the United States for the purposes of trade and industry.

Her Majesty's government have therefore felt bound to instruct me to remonstrate against such irregular proceedings, and to say that, in their opinion, the authority of Congress is necessary in order to justify the arbitrary arrest and imprisonment of British subjects.

I have the honor to be, sir, with the highest consideration, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c.*

Mr. Seward to Lord Lyons.

Department of State.
Washington, October 14, 1861.

My Lord: I have the honor to acknowledge your lordship's note of the present date.

In that paper you inform me that the British government is much concerned to find that two British subjects, Mr. Patrick and Mr. Rahming, have been brought under arbitrary arrest, and that although her Majesty's ministers have been advised by you of the release of Mr. Patrick, yet they cannot but regard the matter as requiring the very serious consideration of this government.

You further inform me that her Majesty's government perceive that when British subjects, as well as American citizens, are arrested, they are transferred to a military prison, and that the military authorities refuse to pay obedience to a writ of habeas corpus.

You add that her Majesty's government conceive that this practice is directly opposed to the maxim of the Constitution of the United States that no person shall be deprived of life, liberty, or property, without due process of law. You then observe that her Majesty's government are nevertheless willing to make every allowance for the hard necessities of a time of internal trouble, and they would not have been surprised if the ordinary securities of personal liberty had been temporarily suspended, nor would they have complained if British subjects, falling under suspicion, had suffered from the consequences of that suspension. But that it does not appear that Congress has sanctioned, in this respect, any departure from the due course of law, and it is in these circumstances that the law officers of the crown have advised her Majesty's government that the arrests of British subjects are illegal.

You remark further, that, so far as appears to her Majesty's government, the Secretary of State for the United States examines upon the reports of spies, and assumes the power of depriving British subjects of their liberty or liberating them by his own will and pleasure; and you inform me that her Majesty's government cannot but regard this despotic and arbitrary power as inconsistent with the Constitution of the United States, as at variance with the treaties of amity subsisting between the two nations, and as tending to prevent the resort of British subjects to the United States for purposes of trade and industry. You conclude with informing me that upon these grounds her Majesty's government have felt bound to instruct you to remonstrate against such irregular proceedings, and to say that, in their opinion, the authority of Congress is necessary in order to justify the arbitrary arrest and imprisonment of British subjects.

The facts in regard to the two persons named in your note are as follows:

Communications from the regular police of the country to the Executive at Washington showed that disloyal persons in the State of Alabama were conducting treasonable correspondence with confederates, British subjects and American citizens, in Europe, aimed at the overthrow of the federal Union by armed forces actually in the field, and besieging the capital of the United States. A portion of this correspondence which was intercepted was addressed to the firm of Smith & Patrick, brokers, long established and doing business in the city of New York. It appeared that this firm had a branch at Mobile; that the partner, Smith, is a disloyal citizen of the United States, and that he was in Europe when the treasonable papers were sent from Mobile, addressed through the house of Smith & Patrick, in New York. On receiving this information William Patrick was arrested and committed into military custody at Fort Lafayette by an order of the Secretary of War of the United States, addressed to the police of the city of New York. These proceedings took place on the 28th of August last.

Representations were thereupon made to the Secretary of State by friends of Mr. Patrick to the effect that notwithstanding his associations he was personally loyal to this government, and that he was ignorant of the treasonable nature of the correspondence which was being carried on through the mercantile house of which he was a member. Directions were thereupon given by the Secretary of State to a proper agent to inquire into the correctness of the facts thus presented, and this inquiry resulted in the establishment of their truth. Mr. William Patrick was thereupon promptly released from custody by direction of the Secretary of State. This release occurred on the thirteenth day of September last.

On the second day of September the superintendent of police in the city of New York informed the Secretary of State, by telegraph, that he had under arrest J. C. Rahming, who had just arrived from Nassau, where he had attempted to induce the owners of the schooner "Arctic" to take cannon to Wilmington, in North Carolina, for the use of the rebels, and inquired what should he do with the prisoner. J. C. Rahming was thereupon committed into military custody at Fort Lafayette under a mandate from the Secretary of State. This commitment was made on the second day of September. On the 17th day of that month this prisoner, after due inquiry, was released from custody on his executing a bond in the penalty of two thousand five hundred dollars, with a condition that he should thereafter bear true allegiance to the United States, and do no act hostile or injurious to them while remaining under their protection.

I have to regret that, after so long an official intercourse between the governments of the United States and Great Britain, it should be necessary now to inform her Majesty's ministers that all executive proceedings, whether of the Secretary of War or of the Secretary of State, are, unless disavowed or revoked by the President, proceedings of the President of the United States.

Certainly it is not necessary to announce to the British government now that an insurrection, attended by civil and even social war, was existing in the United States when the proceedings which I have thus related took place. But it does seem necessary to state, for the information of that government, that Congress is, by the Constitution, invested with no executive power or responsibility whatever; and, on the contrary, that the President of the United States is, by the Constitution and laws, invested with the whole executive power of the government, and charged with the supreme direction of all municipal or ministerial civil agents, as well as of the whole land and naval forces of the Union; and that, invested with those ample powers, he is charged by the Constitution and laws with the absolute duty of suppressing insurrection as well as of preventing and repelling invasion; and that for these purposes he constitutionally exercises the right of suspending the writ of *habeas corpus* whenever and wheresoever and in whatsoever extent the public safety, endangered by treason or invasion in arms, in his judgment requires.

The proceedings of which the British government complain were taken upon information conveyed to the President by legal police authorities of the country, and they were not instituted until after he had suspended the great writ of freedom in just the extent that, in view of the perils of the State, he deemed necessary. For the exercise of that discretion he, as well as his advisers, among whom are the Secretary of War and the Secretary of State, is responsible by law before the highest judicial tribunal of the republic, and amenable also to the judgment of his countrymen and the enlightened opinion of the civilized world.

A candid admission contained in your letter relieves me of any necessity for showing that the two persons named therein were neither known nor supposed to be British subjects when the proceedings occurred, and that in every case subjects of her Majesty residing in the United States, and under their protection, are treated during the present troubles in the same manner and with no greater or less rigor than American citizens.

The military prison which was used for the temporary detention of the suspected parties is a fort constructed and garrisoned for the public defence. The military officer charged with their custody has declined to pay obedience to the writ of habeas corpus, but the refusal was made in obedience to an express direction of the President, in the exercise of his functions as commander-in-chief of all the land and naval forces of the United States. Although it is not very important, it certainly is not entirely irrelevant to add that, so far as I am informed, no writ of habeas corpus was attempted to be served, or was even sued out or applied for in behalf of either of the persons named; although in a case not dissimilar the writ of habeas corpus was issued out in favor of another British subject, and was disobeyed by direction of the President.

The British government have candidly conceded, in the remonstrance before me, that even in this country, so remarkable for so long an enjoyment, by its people of the highest immunities of personal freedom, war, and especially civil war, cannot be conducted exclusively in the forms and with the dilatory remedies provided by municipal laws which are adequate to the preservation of public order in a time of peace. Treason always operates, if possible, by surprise, and prudence and humanity therefore equally require that violence concocted in secret shall be prevented if practicable by unusual and vigorous precaution. I am fully aware of the inconveniences which result from the practice of such precaution, embarrassing communities in social life, and affecting perhaps trade and intercourse with foreign nations. But the American people, after having tried in every way to avert civil war, have accepted it at last as a stern necessity. Their chief interest, while it lasts, is not the enjoyments of society, or the profits of trade, but the saving of the national life. That life saved, all the other blessings which attach to it will speedily return, with greater assurance of continuance than ever before. The safety of the whole people has become, in the present emergency, the supreme law, and so long as the danger shall exist, all classes of society equally, the denizen and the citizen, cheerfully acquiesce in the measures which that law prescribes.

This government does not question the learning of the legal advisers of the British crown or the justice of the deference which her Majesty's government pays to them. Nevertheless the British government will hardly expect that the President will accept their explanations of the Constitution of the United States, especially when the Constitution, thus expounded, would leave upon him the sole executive responsibility of suppressing the existing insurrection, while it would transfer to Congress the most material and indispensable power to be employed for that purpose. Moreover, these explanations find no real support in the letter, much less in the spirit, of the Constitution itself. He must be allowed, therefore, to prefer and be governed by the view of our organic national law, which, while it will enable him to execute his great trust with complete success, receives the sanction of the highest authorities of our own country, and is sustained by the general consent of the people, for whom alone that Constitution was established

I avail myself of this opportunity to offer to your lordship a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord LYONS, *&c.*

Mr. Seward to Lord Lyons.

Department of State,
Washington, October 14, 1861.

My Lord: I have had the honor to receive your note of the 12th instant, in answer to mine of the 4th, relative to the carriage of passengers and private letters in vessels of war of foreign powers to and from ports of the United States under blockade.

In reply, I have the honor to acquaint you that no complaint has been made to this department that any British vessel had indulged in this practice; but insomuch as such a proceeding, if acquiesced in at all by this government, would defeat the objects of the blockade, it was deemed advisable to address a circular upon the subject to the representatives here of the principal maritime powers. No objection is entertained to the transmission, through the channel of vessels of war of friendly powers, of any *official* correspondence with the agents of those powers in blockaded ports.

I avail myself of this occasion to offer to your lordship a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord Lyons, *&c., &c., &c.*

Mr. Seward to Lord Lyons.

CIRCULAR.

Department of State,
Washington, October 16, 1861.

My Lord: The judge of the court of the United States for the southern district of New York having recently decided, after elaborate argument of counsel, that the law of blockade does not permit a vessel in a blockaded port to take on board cargo after the commencement of the blockade, with a view to avoid any future misunderstanding upon this subject, you are informed that the law, as thus interpreted by the judge, will be expected to be strictly observed by all vessels in ports of insurgent States during their blockade by the naval forces of the United States.

I avail myself of this occasion to offer to your lordship a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord Lyons, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

Washington, *October* 17, 1861.

Sir: I beg to offer you my thanks for the note dated the 14th instant, which you have done me the honor to write to me in answer to that dated the 12th instant, which I addressed to you on the subject of transmitting official correspondence by her Majesty's ships of war to the blockaded ports.

It is with reluctance that I importune you further in this matter. But as I am very anxious to avoid all risk of misapprehending your wishes, I venture to ask you whether I am right in understanding that you have no objection to my sending to the blockaded ports, by her Majesty's ships of war, not only British official correspondence with British authorities, but also the official correspondence of other powers friendly to the United States, with the agents of the same powers in the southern States.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

The Hon. William H. Seward, *&c., &c., &c.*

Mr Seward to Lord Lyons.

Department of State,
Washington, October 18, 1861.

My Lord: I have the honor to acknowledge the receipt of your note of yesterday, and to state, in reply, that it was intended in my previous communication, to which it refers, to say that official correspondence of other powers with the agents of those powers in blockaded ports, as well as that of British authorities with their agents, might be sent by British vessels of war.

I am, &c.,

WILLIAM H. SEWARD.

The Right Hon. Lord Lyons, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

Washington, *October* 23, 1861.

Sir: Having received information that a bag of despatches addressed by her Majesty's acting consul at Richmond, in Virginia, to her Majesty's consul at New York had been taken from a gentleman of the name of Crosse, at Baltimore, and sent to General Dix, I directed Mr. Bernal, her Majesty's consul at the latter place, to make inquiries of the general on the subject. You will perceive by the enclosed copy of a despatch from Mr. Bernal that the general referred him to you. I therefore do myself the honor to ask you to be so kind as to favor me with such information as it seems proper that I should receive with regard to the seizure of the despatches in question.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Mr. Bernal to Lord Lyons.

British Consulate,
Baltimore, October 22, 1861.

My Lord: In pursuance of the instructions in your lordship's despatch of the 19th (received this morning) having reference to the reported seizure of a bag of despatches, I proceeded to Fort McHenry, where I had an interview with General Dix. I asked him to be good enough to inform me if it was true that on or about the 16th instant a bag of despatches, addressed to her Majesty's consul in New York by her Majesty's acting consul at Richmond, was taken away from Mr. Thomas Crosse, a British subject, by the provost marshal in this city, and sent to him. General Dix replied very briefly that he must decline giving me any information, and referred me to Mr. Seward. In order that there should be no mistake, I repeated my question, and received the same answer.

I have, &c.,

F. BERNAL.

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 24, 1861.

MY LORD: I have the honor to acknowledge the receipt of your note of yesterday, requesting information in regard to a bag supposed to contain despatches from the acting British consul at Richmond, addressed to Mr. Archibald, the British consul at New York, which bag was taken from a man named Cross by the provost marshal of Baltimore.

In reply, I have the honor to inform you that having received information from General Dix that such a bag had been found concealed in the trunk of a man of that name—a spy of the insurgents, who escaped before he could be arrested—I directed the general to forward it hither. On its arrival, although it had a label attached to it, addressed to Mr. Archibald, and the words on her Britannic Majesty's service, there was nothing to identify it as having been forwarded by the British vice-consul at Richmond. This circumstance, in connexion with those under which the bag was brought through the military lines of the United States, naturally occasioned doubts as to its containing official correspondence. I consequently directed the bag to be opened, when it proved to contain not a single communication for Mr. Archibald, or for any other officer of the British government on this continent. It did contain a few apparently official letters to functionaries of the British government at London. These were promptly forwarded, as received, to Mr. Adams, with directions to cause them to be delivered to their address.

The other contents of the bag are, and will be, retained here. It is unnecessary to specify their character. I will only add that they are such as no consul, or acting consul, of a foreign government has a right to forward in any way from a place in rebellion against this government.

I avail myself of this occasion to offer to your lordship a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

To Lord LYONS.

Lord Lyons to Mr. Seward.

WASHINGTON, *October* 28, 1861.

SIR: Her Majesty's government have had under their consideration the note which I had the honor to address to you on the 22d ultimo, with the despatch from Mr. Consul Archibald which accompanied it.

Her Majesty's government have learned with much surprise, from those papers, the cruel treatment to which the nine British seamen who were imprisoned in Fort Lafayette were subjected by the United States authorities. Her Majesty's government are unable to comprehend the grounds on which persons, who were accused of no offence, were confined in irons and treated as criminals; and although it has been satisfactory to them to learn, from the answer which you did me the honor to make to my representations on the subject, that orders were given for the release of these men, yet her Majesty's government cannot but consider that some amends are due to them for the sufferings to which they were thus causelessly exposed. Her Majesty's government have accordingly instructed me to bring the matter again to the notice of the government of the United States, and to express their hope that due compensation may be awarded to the sufferers.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Mr. Seward to Mr. Adams.

No. 122.]

Department of State,
Washington, November 11, 1861.

Sir: The case in regard to pirates engaged by the insurgents in this country practically stands thus: every naval power, and every commercial power except one, practically excludes them from their ports, except in distress, or for a visit of any kind longer than twenty-four hours, and from supplies, except of coals, for twenty-four hour's consumption.

Great Britain, as we are given to understand by the answer of Earl Russell, allows these pirates to visit her ports and stay at their own pleasure, receiving supplies without restriction.

We find it difficult to believe that the government of Great Britain has constituted this exception with full deliberation. I intimated in a preceding despatch, No. 112, a hope that the subject might be reconsidered before it should be necessary for us to consider what remedies we can adopt to prevent the evils which must result to our commerce from the policy thus indicated by Great Britain. I have consulted on the subject with Lord Lyons, and he may perhaps communicate with his government thereupon. Meantime, I am directed by the President to instruct you to recall the attention of her Majesty's government to the question, under the influences of a spirit of peace and friendship, and with a desire to preserve what remains of a commerce mutually important to both countries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Charles Francis Adams, Esq., *&c., &c., &c.*

CASE OF THE PERTHSHIRE.

Lord Lyons to Mr. Seward.

BRITISH LEGATION,
Washington, D. C., October 11, 1861.

SIR: I have the honor to transmit to you a copy of a memorial addressed to Earl Russell, her Majesty's principal secretary of state for foreign affairs, by Mr. William Gray, owner of the British ship "Perthshire," which appears to have been interfered with by United States ships-of-war. I am directed by Lord Russell to ask the government of the United States for an explanation.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

LYONS.

Hon. W. H. SEWARD, *&c., &c., &c.*

Mr. Gray to Earl Russell.

HARTLEPOOL, *August* 28, 1861.

MY LORD: I take the liberty of directing your lordship's attention, in your official capacity as secretary of state for foreign affairs, to the following facts connected with the seizure and detention by a United States steamship of the ship "Perthshire," of the port of Hartlepool, whilst engaged in lawful commerce upon the high seas, and to request that your lordship will, through the British ambassador at Washington, bring the case before the government of the United States, and demand compensation for the loss I have sustained by the detention of my ship, and which loss I estimate at the sum of two hundred pounds sterling, besides rendering void all insurances effected upon the ship, her cargo and freight, (of the gross value of forty thousand pounds sterling,) by compelling the ship to deviate from her voyage.

The "Perthshire," a ship of 810 tons register, was chartered by a merchant in Liverpool, in March last, to proceed in ballast from Grimsby to Pensacola, and there load a cargo of timber for the United Kingdom; the charterer, however, having the option, through his agent at Pensacola, of ordering the ship to Mobile to load cotton for Liverpool at a lump sum of £2,300.

The ship sailed from Grimsby in March last, and on the 13th of May was making for the harbor of Pensacola, when she was ordered to heave to by the commander of the United States steamship "Niagara." She was boarded by Lieutenant Brown, boarding officer, who informed Captain Oates, of the "Perthshire," that Pensacola was blockaded, and indorsed the vessel's register as follows:

"Boarded by the United States squadron May 13, 1861, and warned not to enter the harbor of Pensacola.

"GEORGE BROWN,
"*Lieut. United States Navy, Boarding Officer.*"

In reply to the inquiry of Captain Oates, the lieutenant informed him that Mobile was not blockaded. The ship then proceeded to Mobile, where she arrived on the 14th May. Mobile was not blockaded until May 26. At Mobile the "Perthshire" loaded a cargo of cotton for Liverpool, and proceeded to sea on May 31; outside the port she was again boarded by the boarding officer of the United States steamship "Niagara," who examined his [her] clearances, expressed himself satisfied with them, and said the ship might proceed on her voyage. She proceeded with light and variable winds until the 9th of June, when she was boarded by the boarding officer of the United States ship "Massachusetts," who, after communicating with his ship, sent a prize crew of 29 men and 2 officers on board the "Perthshire," who took possession of the ship and all the captain's papers, hauled down the British flag and hoisted the United States flag. They altered the course of the ship, and took her back towards Pensacola, off which place, on the 12th of June, after sailing about 200 miles back, they fell in with the United States squadron, the commander of which ordered the "Perthshire's" release, without, however, making any compensation for the detention to which she had been subjected, nor for the ship's stores, consisting of tea, coffee, and sugar, used by the prize crew whilst on board the "Perthshire."

On the ship being released, the captain's papers were returned to him, and his clearance indorsed as follows:

"Boarded June 9, 1861, by the United States steamship 'Massachusetts,' detained under note 159, page 339, Vattel's Law of Nations; liberated by commanding officer of the Gulf squadron June 12, 1861."

This indorsement was without any signature.

A paper was given to the captain of the "Perthshire," on which was written, also without signature, as follows:

"Vattel's Law of Nations. Sir Walter Scott's Opinion. Note 159, page 339, article 3. Things to be proved:
"1. The existence of a blockade.
"2. The knowledge of the party supposed to have offended.
"3. Some act of violation."

Such, my lord, is a plain, unvarnished statement of the facts connected with this extraordinary seizure and detention. The ship having reached her destination safely prevents a discussion as to liability in the event of loss after the deviation in the voyage, but which the Liverpool underwriters say they would have been exempted from had such taken place.

The ground upon which I base my claim for £200 is as follows: The ship had been nine days at sea when she was seized. She was taken back almost to the place from which she first started, and three days after that (or twelve days from leaving Mobile) she was as far from Liverpool as on the 31st of May, when she sailed from Mobile. Her freight was about £550 per month, and twelve days at that rate is about the sum I claim.

The case of the "Perthshire," my lord, has been commented upon by all the leading journals in Great Britain, and without exception they pronounce it a case in which our government ought to make a demand for damages. I venture to hope, therefore, that your lordship will take such steps with regard to this matter as will prevent a repetition of improper interference with British ships, and at the same time obtain for me the reasonable and fair compensation I claim.

I have, &c.

WILLIAM GRAY,
Owner of the ship "Perthshire."

The Right Hon. Earl RUSSELL, *&c., &c., &c.*

Mr. Seward to Mr. Welles.

Department of State,
Washington, October 19, 1861.

Sir: I transmit herewith a copy of a note from the British minister of the 11th instant, and of its accompaniment, respecting an alleged interference with the British ship "Perthshire" by vessels of the United States blockading squadron.

I will thank you to furnish me with such information upon the subject as will enable me to reply to the note of Lord Lyons.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. Gideon Welles,
Secretary of the Navy.

Mr. Seward to Lord Lyons.

Department of State,
Washington, October 19, 1861.

My Lord: I have the honor to acknowledge the receipt of your note of the 11th instant, accompanied by a copy of a memorial addressed to her Majesty's principal secretary of state for foreign affairs, by Mr. William Gray, owner of the British ship Perthshire, alleged to have been interfered with by United States ships-of-war.

A copy of those papers has been transmitted to the Secretary of the Navy with a view to a proper investigation of the matter. When the reply of that officer shall have been received, I shall lose no time in communicating to your lordship the result of the investigation.

Accept, my lord, the assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord Lyons, *&c., &c., &c.*

Mr. Welles to Mr. Seward.

Navy Department, *October* 24, 1861.

Sir: I have the honor to acknowledge the receipt of your letter of the 19th instant and enclosures, and to transmit herewith a copy of a report of Captain William W. McKean, commanding United States ship Niagara, and a copy of a report of Commander Melancton Smith, which contain such information as the department possesses in relation to the seizure of the British ship "Perthshire" by the United States steamer Massachusetts, and her subsequent release by order of Captain McKean.

I am, respectfully, your obedient servant,

GIDEON WELLES.

Hon. William H. Seward,
Secretary of State.

Captain McKean to Commodore Mervine.

UNITED STATES STEAMER NIAGARA,
Off Southwest Pass of Mississippi, September 19, 1861.

SIR: Your communication of the 17th instant, with the accompanying document, was received on the 18th instant.

The English ship "Perthshire," Captain James Oates, left the harbor of Mobile on the 30th of June, 1861, and was boarded by Lieutenant Spicer, from this ship, and passed by my order, the fifteen days allowed by the proclamation of the President of the United States for neutral vessels to depart not having expired.

I am under the impression that no indorsement was made upon her register, as I did not consider it necessary.

I arrived off Fort Pickens in the Niagara early on the morning of the 12th of June, 1861. A large ship, which proved to be the "Perthshire," had just anchored.

Immediately after the Niagara had come to anchor, Commander M. Smith, commanding the United States steamer Massachusetts, came on board and reported having captured the Perthshire in latitude 27° 27′ and longitude 85° 31′.

I stated to Commander Smith that the Perthshire had left Mobile within the time allowed by the President's proclamation; that I considered the capture illegal, as, by order of the department, no neutral vessel not having on board contraband of war, was to be detained or captured unless attempting to leave or enter a blockaded port after the notification of blockade had been indorsed on her register. I therefore directed him to release the "Perthshire," and to replace such provisions and stores as might have been used by the prize crew.

She was accordingly released and immediately got under way, Commander Smith having reported to me that he had not only replaced such provisions as had been used, but had also supplied her with water.

I subsequently received from Captain Adams the report of Commander Smith, a copy of which is herewith submitted. It bears no date.

As I was in hourly expectation of your arrival from Key West, I had fully intended reporting the circumstances to you, but it escaped my memory.

I am, sir, your obedient servant,

WM. W. McKEAN, *Captain.*

Flag Officer WILLIAM MERVINE,
Commanding Gulf Blockading Squadron,
United States Steam Frigate "Colorado."

Commander Smith to commanding officer Gulf squadron.

U. S. STEAMER MASSACHUSETTS,
Off Pensacola, Florida.

SIR: I have to report that on the 9th instant, in latitude 27° 27′, and longitude 85° 31′, I boarded and seized as a prize the English ship "Perthshire," from Mobile, bound to Liverpool, with a cargo of 2,240 bales of cotton; said ship having been boarded by one of the blockading fleet off Pensacola, May 13th, and warned not to enter the harbor.

Two officers and twenty-nine men were placed on board the prize, and

Mr. Wm. R. Clark, acting master, was directed to proceed with all possible despatch and report to the senior commanding officer of the Gulf squadron for instructions.

In addition to the above, I boarded ship Janico from Mobile, ship Carl and bark Mary from New Orleans, all loaded with cotton, and with registers indorsed; also ship Bramley Moore, from New Orleans, register not indorsed, but allowed her to proceed upon her voyage, as the time granted vessels to clear, according to the notification of blockade, had not expired.

Very respectfully,

MELANCTON SMITH,
Commander.

The COMMANDING OFFICER
Gulf Squadron, Pensacola.

[Indorsement by Captain Adams.]

JUNE 10, 1861.

At the time the Perthshire was boarded from this ship and ordered off from Pensacola there was no blockade of Mobile or the Mississippi river.

H. A. ADAMS,
Captain U. S. Frigate "Sabine."

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, October 24, 1861.

MY LORD: Your letter of the 11th of October last, presenting the claim of Mr. William Gray, owner of the British ship "Perthshire," for damages incurred by the detention of that vessel by the blockading squadron of the United States, was referred by me to the Secretary of the Navy for information upon the subject.

I have now received the answer of the Secretary of the Navy thereupon, which fails to show me that the detention of the Perthshire by Commander Smith, commanding the United States steamer Massachusetts, was warranted by law or by the President's proclamation instituting the blockade, although I am satisfied that that officer acted under a misapprehension of his duties, and not from any improper motive. It will belong to Congress to appropriate the sum of two hundred pounds, claimed by Gray, which sum seems to me not an unreasonable one. The President will ask Congress for that appropriation as soon as they shall meet, and he will direct that such instructions shall be given to Commander Smith as will caution him against a repetition of the errors of which you have complained.

I avail myself of this opportunity to renew to your lordship the assurance of my high consideration.

WILLIAM H. SEWARD.

The Right Hon. Lord LYONS, *&c., &c., &c.*

AUSTRIA.

Mr. Seward to Mr. Burlingame.

[Extracts.]

No. 2.]

Department of State,
Washington, April 13, 1861.

Sir: It seems to me that our mission to Austria has not been made as useful hitherto as it ought to have been. I think, indeed, that it has generally been undervalued, The causes for this are manifest. We are a commercial people, and of course cultivate acquaintance first and chiefly with other commercial nations. Situated on a long Atlantic coast, and confronting on the opposite shore the commercial countries from whence our population was first and principally derived, we have naturally fallen into relations with them of the most intimate kind. Austria is distant, and it has never been a maritime nation.

To go no further in the review of its history than 1815, the Austrian government has been that one of the great European powers which has maintained more studiously, firmly, and persistently than any other, the principles of unlimited monarchy, so opposite in their character to the principles upon which our own government has been established.

Again, Austria is not an unique country with a homogeneous people. It is a combination of kingdoms, duchies, provinces, and countries, added to each other by force, and subjected to an imperial head, but remaining at the same time diverse, distinct, and discordant. The empire is therefore largely destitute of that element of nationality which is essential to the establishment of free intercourse with remote foreign States. This absence of nationality is observable in the Austrian emigration to the United States. We meet everywhere here, in town and country, Italians, Hungarians, Poles, Magyars, Jews, and Germans, who have come to us from that empire, but no one has ever seen a confessed Austrain among us. So when a traveller visits Austria he passes through distinctly marked countries, whose people call themselves by many different names, but none of them indicative of their relation to the empire.

Our representatives at Vienna seem generally to have come, after a short residence there, to the conclusion that there was nothing for them to do and little for them to learn. * * * * *

The President expects that you will be diligent in obtaining not only information about political events, but also commercial and even scientific facts, and in reporting them to this department. Austria is an interesting field for improvement of that kind. Although Lombardy, with other Italian provinces, has recently been lost, yet the empire still has a population little inferior in number to our own ; and though there are some nations whose people are more mercurial, there is no one in the whole world whose inhabitants are more industrious, frugal, cheerful, and comfortable ; none in which agriculture derives more wealth from hard soils and ungenial skies ; none where science, art, and taste mingle so perfectly with public and private economy. An undue portion of the country is mountainous. It has nevertheless a richness and variety of mineral and vegetable wealth unequalled in any other part of Europe. Many of its productions could, if introduced more freely, find a ready consumption here, while, on the other hand, we could supply Austria with materials and provisions which are now at greater cost received by her from other countries. Many of the Austrian productions and fabrics which we do receive come to us through the hands of merchants in other European States.

The insignificance of our commerce with Austria results in a large degree from her policy of taxing exports as well as imports, and from monopolies, by which she labors to create a national system of navigation. The subject is one of great interest, and you can render an important service probably to both countries by applying yourself to an examination of it with a view to the negotiation of a more liberal treaty than the one now in force.

Just now a pressure upon this department, incidental to the beginning of a new administration, renders it impossible for me to descend into the details which must be considered in this connexion. It is, however, a purpose of the President that the subject shall be thoroughly investigated, and you will in due time be fully instructed. In the meanwhile you are authorized to communicate his disposition in this respect to the government of his Imperial Royal Majesty, and to ascertain, if possible, whether it would be willing to enter into a revision of the commercial arrangements now existing between the two nations.

The President is well aware that the government of Austria is naturally pre-occupied with political questions of great moment. It must be confessed, also, that painful events occurring among ourselves have a tendency to withdraw our thoughts from commercial subjects. But it is not to be doubted, in the first place, that political embarrassments would in both countries be essentially relieved by any improvement of their commerce which could be made; and, secondly, that the greater those embarrassments are the more merit there will be in surmounting them so far as may be necessary to effect that improvement. It certainly is not the intention of the President that the progress in material and social improvement which this country has been making through so many years shall be arrested or hindered unnecessarily by the peculiar political trials to which it seems likely to be subjected during the term for which he has been called to conduct the administration of its affairs.

There is a peculiar fitness in efforts at this time to enlarge our trade in the Mediterranean, for it is never wise to neglect advantages which can be secured with small expense, and near at home, while prosecuting at great cost, as we are doing, great enterprises in remoter parts of the world. I would not overlook Italy, Germany, and Hungary, while reaching forth for the trade of China and Japan.

I shall allude to political affairs in Austria only so far as is necessary to enable me to indicate the policy which the President will pursue in regard to them. They present to us the aspect of an ancient and very influential power, oppressed with fiscal embarrassments, the legacy of long and exhausting wars, putting forth at one and the same time efforts for material improvement, and still mightier ones to protect its imperfectly combined dominion from dismemberment and disintegration, seriously menaced from without, aided by strong and intense popular passions within. With these questions the government of the United States has and can have no concern. In the intercourse of nations each must be assumed by every other to choose and will what it maintains, tolerates, or allows Any other than a course of neutrality would tend to keep human society continually embroiled in wars, and render national independence everywhere practically impossible.

No institutions which can be established in a country through foreign intervention can give to it security or other advantages equal to those which are afforded by the system it establishes or permits for itself; while every nation must be regarded as a moral person, and so amenable to the public opinion of mankind, that opinion can carry its decrees into effect only by peaceful means and influences. These principles, hitherto practiced by the United States with great impartiality, furnish rules for the conduct of their representatives abroad, and especially for your own in the critical condition of political affairs in the country to which you are accredited.

This intimation is given so distinctly because an observance of it is peculiarly important in the present condition of our domestic affairs. We are just entering on a fearful trial, hitherto not only unknown, but even deemed impossible by all who have not been supposed to regard the career of our country, even under auspicious indications, with morbid distrust.

Ambitious and discontented partisans have raised the standard of insurrection and organized in form a revolutionary government. Their agents have gone abroad to seek, under the name of recognition, aid and assistance. In this case imprudence on our part in our intercourse with foreign nations might provoke injurious, possibly dangerous, retaliation.

The President does not by any means apprehend that the imperial royal government at Vienna will be inclined to listen to those overtures. The habitual forbearance of his Majesty, the friendship which happily has always existed between the two countries, and the prudence which the government of the former has so long practiced in regard to political affairs on this continent, forbid any such apprehension.

Should our confidence in this respect, however, prove to be erroneous, the remarks which I shall have occasion to make with a different view in this paper will furnish you with the grounds on which to stand while resisting and opposing any such application of the so-called Confederate States of America.

Vienna, as you are very well aware, is a political centre in continental Europe. You may expect to meet agents of disunion there seeking to mould public opinion for effect elsewhere.

I will not detain you with a history of that reckless movement, or with details of the President's policy in regard to it. Your experience as a prominent member of Congress has already furnished the former. The inaugural address of the President, with despatches to your predecessor, will be found in the archives of the legation, and will supply the latter.

Certainly I shall not need to anticipate and controvert any complaints of injustice, oppression, or wrong, which those agents may prefer against their country before foreign tribunals. Practically, the discontented party itself administered this government from the earliest day when sedition began its incubation until the insurgents had risen and organized their new provisional and revolutionary government. Never, in the history of the human race, has revolution been so altogether without cause, or met with forbearance, patience, and gentleness so long.

Nor shall I notice particularly the apprehensions of future injustice and oppression which, in the absence of real cause, are put forth as grounds for the insurrection. The revolutionists will find it very hard to make any European sovereign, or even any European subject, understand what better or further guarantee they could have of all their rights of person and property than those which are written in the Constitution of the United States, and which have never been by the government of the United States broken or violated either in letter or in spirit. They will find it quite as difficult to make either a European sovereign or subject understand how they can reasonably expect to improve their political security by organizing a new government under a constitution containing substantially the same provisions as the one they seek to overthrow.

There is reason to apprehend that the form of argument which the agents alluded to will chiefly employ will be an assumption that the independence and sovereignty of the new and irregular authority they represent is already *de facto* established.

If this were true, still you could reply that no public interest of other States, nor even any such interest of the new confederacy itself could suffer by a delay allowing sufficient time for the government of the United States, fully consulting the people, to acknowledge in the first instance the independence so claimed to have been established. The United States have a right to require such delay from all friendly powers, and a refusal of it would be an act offensive to their dignity and manifestly hostile. There is not the least ground to assume that the government of the United States would act otherwise than wisely, discreetly, and humanely, when it should come to act in such a case. Individual caprice finds no place in a government so entirely popular as ours, and partisan excitement sinks in great national emergencies here before the calm considerate judgment of the American people pronouncing upon considerations exclusively of their own security, freedom, and happiness. They would, indeed, regard the effectual dismemberment of the Union as fatal to the highest hopes which humanity has ever, with apparent reason, indulged. But they are not visionary nor impracticable, and they will not lack even the magnanimity to accept the fact of their ruin, and govern themselves in conformity with it, before other nations fraternally disposed need to intervene to reconcile them, or, if unfriendly, to profit by that last calamity.

At all events foreign governments may be expected to consult their own interests and welfare in regard to the subject in question, even though indifferent to the rights and interests of the United States. A premature declaration of recognition by any foreign State would be direct intervention, and the State which should lend it must be prepared to assume the relations of an ally of the projected confederacy and employ force to render the recognition effectual.

But, in point of fact, the assumption that the new confederacy has established its sovereignty and independence is altogether unfounded. It was projected, or favored, by the late administration during the four months that it remained in power after the election, which constituted practically an interregnum. The new administration, now only forty days old, has practiced forbearance and conciliation, relying hitherto, as it will hereafter rely, on the virtue and patriotism of the people to rescue the country and the Union from danger by peaceful and constitutional means, and content to maintain the authority and defend the positions which came into its hands on the fourth of March last, without employing coercion, so unnatural, and, as it has hitherto believed and still believes, so unnecessary for the national security, integrity, and welfare. The so-called confederacy has yet to secure its sovereignty either by war or by peace. If it shall, as now seems probable, have determined on war, it has only just thrown down the challenge. It must not assume that a nation so sound, so vigorous, and so strong as this, although it may forbear long, will not accept such a challenge when there is no alternative.

The government of the so-called Confederate States have still greater perils to incur if they are to establish their separation by the acts and processes proper for peace. They will have at some time to refer themselves and all their action to an intelligent people, who will then have had time to reflect and to inquire what all this revolution is for, and what good it can produce. They will have to satisfy that people and mankind that a republican government can be stable and permanent which is built on the principle that a minority, when defeated in the popular elections, may appeal to arms, and that a confederacy can be relied upon by creditors or nations that admits the right of each of its members to withdraw from it and cast off its obligations at pleasure.

I have treated the subject as if it were a question of war or of peace in the election of the insurrectionists. But, in truth, both the justice and the wisdom of the war must in the end be settled, as all questions which concern the American people must be determined, not by arms, but by suffrage. When, at last, the ballot is to be employed after the sword, then, in addition to the pregnant questions I have indicated, two further ones will arise requiring to be answered, namely, which party began the conflict, and which maintained in that conflict the cause of freedom and humanity.

The agents of the projected confederacy have hitherto affected to undervalue the power which the Union can exercise for self-preservation, and they may attempt to mislead foreign States on this subject. It is true that the government was powerless to resist them so long as it was practically in their own hands and managed to favor their designs. Its executive department was panic-stricken, its legislature divided and distracted, its army demoralized and betrayed, its fortifications virtually surrendered, its navy dispersed, and its credit prostrated. Even the people themselves were bewildered by the sudden appearance of such unlooked-for and appalling dangers. All this demoralization is passing away as rapidly as it came on; and it will soon appear in this, as in all other cases, that the greatest vigor is found combined with the greatest power of elasticity. It will be deeply to be regretted if the energy of this great government is to have its first serious trial in a civil war, instead of one against a foreign foe. But if that trial cannot be averted, it will be seen that resources prudently left unembarrassed are more available than credit in foreign markets; that the loyalty of a brave and free people is more reliable than standing armies; that a good cause is worth more than allies, and self-defence is an attribute stronger than fortresses. Its assailants will have to defend themselves before an enlightened people, and even before other nations, at least so far as to show one State that the federal Union has actually oppressed or menaced, or one citizen who fared the worse for having lived under its authority.

The agents of the new confederacy it is supposed will offer more favorable conditions to foreign commerce than the United States have thought it wise to afford. Such offers may be met with a few direct propositions. The sagacity of the federal government is not likely to be found long at fault in giving such advantages to the insurrectionists. In the second place, how is a revolution to be carried on without taxes? Are the so-called seceding States abler than their sister States to endure direct taxation, or will faction reconcile men to burdens that patriotism finds intolerable? It will be well for the so-called confederacy if, instead of making good the promises in this respect made in its name, it do not find itself obliged to levy duties as large as those of the federal government on imports, and to add to its revenue system, what that government never has done, the ruinous feature of taxation upon exports. It is easily seen how little such a financial policy will commend the new government to the favor of European politicians and capitalists.

But I must draw these instructions to a close. You will on all occasions represent that the interests of Europe and of mankind demand peace, and especially peace on this continent. The Union is the only guarantee of peace. Intervention would be war, and disunion would be only endless war.

The Union is, moreover, the chief security for the stability of nations. When this experiment of self-government shall have failed for want of wisdom and virtue enough, either at home or abroad, to preserve it or permit it to exist, the people of other countries may well despair and lose the patience they have practiced so long under different systems in the expectation that the influence it was slowly exercising would ultimately bring them to the enjoyment of the rights of self-government. When that patience disappears, anarchy must come upon the earth.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Anson Burlingame, Esq., *&c.*, *&c.*, *&c.*

Mr. Jones to Mr. Seward.

[Extract.]

No. 20.]

Legation of the United States,
Vienna, April 15, 1861.

Sir: I have the honor to acknowledge the receipt of your circular, dated the 9th of March, 1861.

I presented the copy of the inaugural address of the President to Count Rechberg on the 8th day of April, and at the same time verbally communicated, in accordance with the instructions contained in said despatch, the views and opinions of my government on the present disturbed condition of its domestic affairs, and the aspect in which it wished them to be regarded by the government of Austria.

He replied that Austria hoped to see us re-united. That she was not inclined to recognize *de facto* governments anywhere; her opinions had been made, however, and her minister and consuls in America instructed fully on the subject; that no application had yet been made to Austria for recognition as an independent sovereignty, by any portion of the confederacy of the United States, and he was of opinion that, as the views of Austria would soon be known on the subject, no such application would be made. Should it be otherwise, however, he would notify this legation and the subject could be resumed.

* * * * * * * * *

Very respectfully, your obedient servant,

J. GLANCY JONES.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Jones to Mr. Seward.

No. 22.]

Legation of the United States,
Vienna, July 20, 1861.

Sir: A few days since Count Rechberg, the imperial royal minister of foreign affairs, was interrogated in the house of deputies of the Austrian empire on the subject of the course pursued, or about to be pursued, by the imperial royal government in relation to American affairs in the present complication. The report of his remarks is as follows:

Count Rechberg rose to answer the question, "What measures has the government taken to protect its commercial relations with the United States of North America, under the warlike condition of things now existing there," put by Mr. Putzer and his associates. He said: "The minister of foreign affairs has, in connexion with the ministers of trade and the navy, caused information to be obtained through the imperial minister resident at Washington as to the measures which other governments have taken for the same reason. The answer received was, that England and France, as well as Holland, had strengthened their squadrons in the American waters, and had endeavored to bring the belligerent powers to the recognition of those principles, especially relating to the protection of private property, which were agreed upon at the congress of Paris in 1856. The imperial government has, for the present, abstained from sending ships-of-war, and has directed the minister resident to obtain from the belligerent powers the recognition of the following points established by the said congress:

"1. The neutral flag covers enemy's goods, with the exception of contraband of war.

"2. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

"3. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

"The government hopes, on account of the friendly relations which have existed between it and the American States for years, to obtain the recognition of these three points on the part of the belligerents."

In an interview with Count Rechberg a day or two ago, he expressed to me a hope that the answer might be deemed satisfactory to my government, as it was his wish to make it so. I replied that, so far as I was advised, no exception could be taken to his language, but that I should transmit to my government both the question and answer, and if they had anything to say they would make it known to him through their minister here. He repeated his strong desire to see the integrity of the Union preserved in America, and said Austria was anxious to cultivate the most friendly relations with us, and would be the last to aid or abet any movement looking to the disruption of our confederacy, or weakening its power.

Very respectfully, your obedient servant,

J. GLANCY JONES.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Hülsemann to Mr. Seward.

AUSTRIAN LEGATION,
Washington, August 7, 1861.

The undersigned, in pursuance of the understanding come to this morning, has the honor to transmit to the honorable Secretary of State a copy of the instructions received from Count Rechberg concerning the maritime rights of neutrals in time of war; and he takes this opportunity to renew his offer of high consideration to the honorable Secretary of State

HULSEMANN

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States.

Baron Rechberg to Mr. Hülsemann.

[Translation.]

No. 6993.—H.] VIENNA, *July* 1, 1861.

SIR: With deep regret we continue to follow events in the United States which, shaking the foundations of the Union, have effectively taken the character of an active warfare between powers; whence it has ensued that friendly nations, for the protection of their own commerce and navigation, are placed reluctantly in such position that they must reclaim their rights as neutrals.

You already know by my despatch of 14th June of last year what principles of international law bearing upon the questions of maritime rights in time of war we relied upon as between us and the government of the Union, whether under the provisions of old treaties, or under more recent arrangements; inasmuch as we have given our adhesion to the Paris declaration of maritime rights in 1856, as tending to improve the heretofore ill-advised mode of dealing with the political fluctuations that lie before us.

Albeit the government of the Union did not explicitly and at once accept, upon the first invitation, the declaration of the European powers, yet we still entertain an earnest expectation that such subsequent express assent may be given, as the abrogation of all hindrance to the security of private property on the seas was established on the broadest grounds.

By a proposal which, unfortunately, was not accepted on the other side, we, however, as you know, were always ready and willing to sustain the principle.

We await, however, in friendly expectation, at least, the express recognition of the second, third, and fourth principles of the Paris declaration on the part of the United States quite distinctly from that, because the government of the Union, on different occasions, has not only plainly expressed these principles in manner more or less forcible, but has upon its own motion set them forth and explicitly maintained them.

We therefore rest securely in the belief that we may soon receive a satisfactory communication upon this subject, and that under the high authority of the President, administering the relations of his government, the above mentioned three principles will be authentically asserted by the United States. But you also have it in express charge to invite the earnest attention of the Secretary of State to the matter, and to take the same steps as we see reason to adopt with the other European powers in what may be regarded as definitively settled.

You will, I hope, carry this important question through to a favorable close, and I present you the assurances of my cordial sympathies.

RECHBERG.

His Excellency the Chevalier HULSEMANN, *&c., &c., &c., Washington.*

Mr. Seward to Mr. Hülsemann.

DEPARTMENT OF STATE,
Washington, August 22, 1861.

The undersigned, the Secretary of State of the United States, has the honor to acknowledge the receipt of a communication from Mr. Hülsemann, minister resident of his imperial royal Majesty the Emperor of Austria, bearing date 7th August, instant. Mr. Hülsemann's letter is accompanied by an instruction sent to him by Count Rechberg, the Austrian minister for foreign affairs, calling for information on the subject of the views of this government concerning the rights of neutrals in maritime war. Count Rechberg expresses a hope that the government of the United States will give assurances that it adopts and will apply the 2d, 3d, and 4th principles of the declaration of Paris, viz:

2. The neutral flag covers enemy's goods, with the exception of contraband of war.

3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The undersigned has great pleasure in assuring Mr. Hülsemann that this government does adopt, and that it will apply the principles thus recited and set forth, and that its liberal views in this respect have not only been long held, but they would have been formally communicated to the Austrian government several months ago but for the delay which has unavoidably occurred in the arrival of a newly appointed minister plenipotentiary at Vienna.

Of course the principles referred to are understood by the United States as not compromitting their right to close any of their own ports for the purpose of suppressing the existing insurrection in certain of the States, either directly or in the more lenient and equitable form of blockade which has already for some time been established.

Mr. Motley, who proceeds immediately to Vienna as envoy extraordinary and minister plenipotentiary of the United States, will be directly advised of this communication, while he will be charged with more ample instructions on the general subject involved.

The undersigned avails himself of this occasion to tender assurances of the good will of this government towards the government of Austria, and of his distinguished consideration for Mr. Hülsemann personally.

WILLIAM H. SEWARD.

The Chevalier Hulsemann, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Jones.

No. 14.]

Department of State,
Washington, August 12, 1861.

Sir: Your despatch of the 20th of July, No. 22, has just been received.

Owing to the change of Mr. Burlingame's destination, the instructions he conveyed have failed to reach your legation. A new appointment has just now been made in the person of Mr. Motley, who will, without much delay, proceed to relieve you of the mission which you have conducted so satisfactorily during the period of my connexion with this department.

Mr. Motley will have full powers to treat with the government of Austria on all the matters discussed by Count Rechberg in the speech to which, by his direction, you have called my attention, and I am sure that they will be disposed of to the entire satisfaction of Austria, as well as for the common advantage of both countries.

In the meantime, however, you are authorized to say to Count Rechberg that the United States adhere now, as heretofore, to the three principles enunciated by him in that speech, namely:

1. The neutral flag covers enemy's goods, with the exception of contraband of war.
2. Neutral goods, not contraband of war, are not liable to confiscation under enemy's flag.
3. Blockades, in order to be binding, must be effective.

Of course these principles are understood by us as not compromitting our right to close any of our own ports for the purpose of suppressing the existing insurrection, either directly or in the more lenient and equitable form of blockade which we have already some time since established.

You will not fail to assure the imperial royal government that the President had received with great satisfaction the assurances of the just purposes and good will of Austria towards the United States, communicated by Count Rechberg to yourself, and repeated by Mr. Hülsemann, the minister of Austria residing at this capital.

It shall be our purpose to cultivate the best understanding with all nations which respect our rights as Austria does.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

J. Glancy Jones, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Motley.

No. 2.]

Department of State,
Washington, August 27, 1861.

Sir: The despatch of your predecessor, Mr. Jones, No. 23, dated August 6, has been received and read with much interest. It relates, however, exclusively to the affairs of Austria, and does not seem to require any special remark from me at the present moment, when the attention of this department is so largely engrossed by the concerns of our own country at home as well as in foreign countries.

Should Mr. Jones be still remaining at Vienna when this communication arrives, you will express to him the entire satisfaction with which his conduct of the legation since it has fallen under the review of the present administration is regarded by the government of the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

J. Lothrop Motley, Esq., *&c.*, *&c.*, *Vienna.*

Mr. Seward to Mr. Motley.

No. 4.]

Department of State,
Washington, September 20, 1861.

Sir: The despatch, No. 24, of your predecessor, Mr. Jones, under date of August, has been received. I send you a copy of my latest instructions to Mr. Adams and Mr. Dayton on the subject of the proposed accession to the declaration of the congress at Paris. You will learn from these papers that the negotiations for that object with the governments of Great Britain and

France have been arrested, as well as the manner of suspension, and the reasons for it. You will already have discovered for yourself that this suspension of the negotiation with those two powers must operate, to a certain extent, upon the dispositions in the same respect of other European States, although it does not at all modify the views of this government. So far as such other European powers are concerned, all that remains to be said is, that acting in good faith we will cheerfully enter into convention with any State that may desire to receive our accession at this time, and that we shall not, at present, urge our proposition on those States which, for any reason of their own, may propose to await a more convenient season.

You will inform Count Rechberg that the friendly sentiments of this government towards Austria remain unchanged.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

J. LOTHROP MOTLEY, Esq., *&c.*, *&c.*, *&c.*, *Vienna.*

FRANCE.

Mr. Seward to Mr. Dayton.

No. 3.]

Department of State,
Washington, April 22, 1861.

Sir: You enter a very important foreign mission at a moment when our domestic affairs have reached a crisis which awakens deep solicitude. Throughout a period of eighty years law and order have prevailed, and internal peace and tranquillity have been undisturbed. Five months ago sedition showed itself openly in several of the southern States, and it has acted ever since that time with boldness, skill, and energy. An insurrectionary government, embracing seven members of this Union, has been proclaimed under the name of the Confederate States of America. That pretended authority, by means chiefly of surprise, easily seen here to have been unavoidable, although liable to be misunderstood abroad, has possessed itself of a navy yard, several fortifications and arsenals, and considerable quantities of arms, ordnance, and military stores. On the 12th of April, instant, its forces commenced an attack upon, and ultimately carried, Fort Sumter, against the brave and heroic resistance of a diminutive garrison, which had been, through the neglect of the former administration, left in a condition to prevent supplies and re-enforcements.

Owing to the very peculiar construction of our system, the late administration, Congress, and every other department of the federal government, including the army and the navy, contained agents, abettors, and sympathizers in this insurrection. The federal authorities thus became inefficient, while large portions of the people were bewildered by the suddenness of the appearance of disunion, by apprehension that needless resistance might aggravate and precipitate the movement, and by political affinities with those engaged in it.

The project of dismembering the Union doubtless has some support in commercial and political ambition. But it is chiefly based upon a local, though widely extended partisan disappointment in the result of the recent election of President of the United States. It acquired strength for a time from its assumed character of legitimate opposition to a successful party, while, on the other hand, that party could not all at once accept the fact that an administrative political issue had given place to one which involved the very existence of the government and of the Union. These embarrassments are passing away so rapidly as to indicate that far the greater mass of the people remain loyal as heretofore. The President improved the temporary misfortune of the fall of Fort Sumter by calling on the militia of the States to re-enforce the federal army, and summoning Congress for its counsel and aid in the emergency. On the other hand, the insurrectionists have met those measures with an invitation to privateers from all lands to come forth and commit depredations on the commerce of the country.

To take care that the government of his Majesty the Emperor of France do not misunderstand our position, and through that misunderstanding do us some possible wrong, is the chief duty which you will have to perform at Paris.

It would have been gratifying to the President if the movements to which I have alluded had taken such a course as to leave this government free from the necessity in any event of conferring upon them in the presence of foreign powers. In this age of social development, however, isolation even in misfortune is impossible, and every attempt at revolution in one country becomes a subject of discussion in every other. The agitators in this case have, perhaps, not unnaturally carried their bad cause before foreign states by an appeal for recognition of the independence they have proclaimed, and which they are committed to establish by arms. Prudence requires that we oppose that appeal. The President believes that you will be able to do this in such a manner as will at once comport with the high consideration for his Imperial Majesty which this government habitually entertains, and a due sense of the dignity and honor of the American people.

The Emperor of France has given abundant proofs that he considers the people in every country the rightful source of all authority, and that its only legitimate objects are their safety, freedom, and welfare. He is versed in our Constitution, and, therefore, he will not need demonstration that the system which is established by the Constitution is founded strictly on those very principles. You will be at no loss to show also that it is perfectly adapted to the physical condition and the temper, spirit, and habits of the American people. In all its essential features it is the same system which was first built, and has since existed with ever renewed popular consent in this part of America. The people of this country have always enjoyed the personal rights guaranteed by the great statutes of British freedom, representation concurrent with taxation, jury trial, liberty of conscience, equality before the laws, and popular suffrage. The element of federation or union was early developed while the colonies were under the authority of, and during their revolutionary contest with, the British Crown, and was perfected afterwards by the establishment of the Constitution of the United States. Practically it has been voluntarily accepted by every State, Territory, and individual citizen of the United States. The working of the system has been completely successful, while not one square mile of domain that we at any time had occupied has ever been lost to us. We have extended our jurisdiction from the St. Mary's river to the Rio Grande, on the Gulf of Mexico, and in a wide belt from the Mississippi to the Pacific ocean. Our population has swollen from four millions to thirty-one millions. The number of our States has increased from thirteen to thirty-four. Our country has risen from insignificance to be the second in the world. Leaving out of view unimportant local instances of conflict, we have had only two foreign wars, and the aggregate duration of them was less than five years. Not one human life has hitherto been forfeited for disloyalty to the government, nor has martial law ever been established except temporarily in case of invasion. No other people have ever enjoyed so much immunity from the various forms of political casualties and calamities.

While there is not now, even in the midst of the gathering excitement of civil war, one American who declares his dissent from the principles of the Constitution, that great charter of federal authority has won the approbation of the civilized world. Many nations have taken it as a model, and almost every other one has in some degree conformed its institutions to the principles of this Constitution. The empire of France, and the new kingdom of Italy especially, are built on the same broad foundation with that of this federal republic, namely, universal suffrage.

Surely we cannot err in assuming that a system of government which arose out of the free consent of the people of this country, which has been often reconsidered and yet continually upheld in preference to every other throughout a period of two hundred years, which has commanded the acceptance or the approval of all other nations, and to the principles of which even those who attempt to overthrow it adhere in the very heat of insurrection, must be regarded as one which is not only well adapted to the condition and character of the American people, but is even indispensable and inseparable from their national existence.

Should it be answered that while all this has heretofore seemed true, yet that it is now disproved by the existing insurrection, you may truthfully reply that we must wait for that refutation until we see the end of the insurrection; that the insurrection proves in fact nothing else except that eighty years of peace is as much as human nature has the moderation to endure under circumstances the most conducive to moderation.

The attempted revolution is simply causeless. It is, indeed, equally without a reason and without an object. Confessedly there is neither reason nor object, unless it be one arising out of the subject of slavery. The practice of slavery has been so long a theme of angry political debate, while it has all the time been, as it yet is, a domestic concern, that I approach it with deep regret in a communication which relates to the action of a representative of this government abroad. I refrain from any observation whatever concerning the morality or the immorality, the economy or the waste, the social or the unsocial aspects of slavery, and confine myself, by direction of the President, strictly to the point that the attempt at revolution on account of it is, as I have already said, without reason and without object. Slavery of persons of African derivation existed practically within all the European colonies which, as States, now constitute the United States of America. The framers of our government accepted that fact, and with it the ideas concerning it which were then gaining ground throughout the civilized world. They expected and desired that it should ultimately cease, and with that view authorized Congress to prohibit the foreign slave trade after 1808. They did not expect that the practice of African slavery should be abruptly terminated to the prejudice of the peace and the economy of the country. They therefore placed the entire control of slavery, as it was then existing, beyond the control of the federal authorities, by leaving it to remain subject to the exclusive management and disposition of the several States themselves, and fortified it there with a provision for the return of fugitives from labor and service, and another securing an allowance of three-fifths of such persons in fixing the basis of direct taxation and representation. The legislators of that day took notice of the existence of a vast and nearly unoccupied region lying between the western borders of the Atlantic States and the Mississippi river. A few slaves were found in the southwest, and none in the northwest. They left the matter in the southwest to the discretion of the new States to be formed there, and prohibited the practice of slavery in the northwestern region forever.

Economical, moral, and political causes have subsequently modified the sentiments of that age differently in the two sections. Long ago slavery was prohibited by all the northern States, and, on the contrary, the increased production of cotton has resulted in fortifying the institution of slavery in the southern States. The accretions of domain, by purchase from Spain, France, and Mexico, brought regions in which slavery had either a very slight foothold, or none at all; and this new domain, as it should come under occupation, was to be constituted into new States, which must be either free States or slave States. The original States divided according to their own divers practices—the free States seeking so to direct federal legislation and action as to result in multiplying free States, and the slave States so to direct them as to multiply slave States. The interest became more intense because the several States have equal representation in the Senate of the United States. This controversy soon disclosed itself in the popular elections, and more distinctly than ever before in the recent canvass, which resulted in the accession of the present administration.

It is now to be observed that, from the earliest agitation of the subject until that last election, the decisions of the people were practically favorable to the interest of the class which favored the extension of slavery, and yet their opponents always acquiesced. Under these circumstances the executive administration, the national legislature, and the judiciary, were for practical purposes in the hands of that party, and the laws, with the administration and execution of them, conformed to their own policy. The opposite class prevailed in the late election so far as to bring in the President and Vice-President, the citizens they had preferred, but no further—Congress and the judiciary remained under the same bias as before. The new President could not assume his trust until the fourth of March, 1861, and even after that time, as before, the laws and the execution of them must remain unchanged. He could not, without consent of his opponents in Congress, change either, nor appoint a minister or a ministerial officer, nor draw a dollar from the treasury even for his own defence or support. It was under these circumstances that, on the very day when the election closed and its result became known, four months before the new administration was to come in, the disappointed party took their appeal from the ballot-box to arms, and inaugurated their revolution.

I need not further elaborate the proposition that the revolution is without a cause ; it has not even a pretext.

It is just as clear that it is without an object. Moral and physical causes have determined inflexibly the character of each one of the Territories over which the dispute has arisen, and both parties after the election harmoniously agreed on all the federal laws required for their organization. The Territories will remain in all respects the same, whether the revolution shall succeed or shall fail. The condition of slavery in the several States will remain just the same whether it succeed or fail. There is not even a pretext for the complaint that the disaffected States are to be conquered by the United States if the revolution fail ; for the rights of the States, and the condition of every human being in them, will remain subject to exactly the same laws and forms of administration, whether the revolution shall succeed or whether it shall fail. In the one case, the States would be federally connected with the new confederacy ; in the other, they would, as now, be members of the United States ; but their constitutions and laws, customs, habits, and institutions in either case will remain the same.

It is hardly necessary to add to this incontestible statement the further fact that the new President, as well as the citizens through whose suffrages he has come into the administration, has always repudiated all designs whatever and wherever imputed to him and them of disturbing the system of slavery as it is existing under the Constitution and laws. The case, however, would not be fully presented if I were to omit to say that any such effort on his part would be unconstitutional, and all his actions in that direction would be prevented by the judicial authority, even though they were assented to by Congress and the people.

This revolution, thus equally destitute of just cause and legitimate object, aims, nevertheless, at the dismemberment of the federal Union, and, if successful, must end in the overthrow of the government of the United States. If it be true, as the consent of mankind authorizes us to assume, that the establishment of this government was the most auspicious political event that has happened in the whole progress of history, its fall must be deemed not merely a national calamity, which a patriotic government ought to try to prevent, but a misfortune to the human race, which should secure for us at least the forbearance of all other nations.

It cannot be maintained that disunion would leave it still existing in its true character, and for its proper ends, although in two not very unequal and similar parts. Its integrity as a federal government, embracing all of the American independent, contiguous, and homogeneous States, protecting them all against foreign dangers and internal commotions; securing to them all a common property, greatness, dignity, influence and happiness, is an indispensable feature of its constitution.

Dismemberment would be less effectually subversive of the character, objects, and purposes of the Union, if the two confederacies, which it is proposed shall succeed it, could severally be expected to exercise its great functions within their respective dominions. But this would be impossible. The several States are now held in union with each other by a confessed obligation of cohesion that only their common consent could dissolve, and that moral law, hitherto acknowledged by all, is substituted for the central military authority which, in other systems, secures the integrity as well as the peace and harmony of States. But if the revolution shall prevail and dismemberment ensue, the federal obligation in that case will be broken, its moral force spent, and in its place there must come up the principles which are the acknowledged elements of the revolution, namely, first, that in either confederacy each State is at liberty to secede at pleasure; and secondly, the minority in each confederacy, and even in each State, may, whenever the will of the majority is ascertained, take an appeal from the ballot to the sword. It is manifest that the success of this revolution would therefore be not only a practical overthrow of the entire system of government, but the first stage by each confederacy in the road to anarchy, such as so widely prevails in Spanish America. The contest, then, involves nothing less than a failure of the hope to devise a stable system of government upon the principle of the consent of the people, and working through the peaceful expressions of their will without depending on military authority. If the President were addressing his countrymen at home on this occasion, instead of one of their representatives going abroad, he would direct me to set forth the consequences which obviously must follow the dissolution of the American Union. The loss of the ambition, which is a needful inspiration to a great people; the loss of the respect of mankind, and the veneration and respect of posterity; the loss of the enterprise and vigor which makes us a prosperous nation; and with the loss of sustained and constant culture, which makes us an intellectual people, the loss of safety, both at home and abroad, which directly involves the greatest calamity of all, the loss of liberty. It is sufficient only to allude to these possible evils on this accasion to afford you the grounds for assuring the government of France that the President regards the revolution as one which in every event must and will be prevented, since it is manifest that the evils which would result from its success would be as incurable as they would be intolerable.

It is, indeed, an occasion of much regret that it has been found needful to employ force for this purpose. It is contrary to the genius and the habits of the people, as it is repugnant to the sentiments of the government of the country and of mankind. But the President believes that the country will accept that alternative with the less regret because sufficient time has been allowed to try every expedient of conciliatory prevention, and civil war is at last proved to be unavoidable. The responsibility of it must rest with those who have not only inaugurated it, but have done so without cause and without provocation. The world will see that it is an evil that comes upon us not from any necessity growing out of administration or out of our Constitution itself, but from a necessity growing out of our common nature.

It must not, however, be inferred that the reluctance of the government to employ force so long has demoralized the administration or can demoralize the American people. They are capable of a high, resolute, and vigorous defence of the Union, and they will maintain that defence with only the more firmness and fidelity, because they are animated by no hostile spirit, but, on the contrary, by a friendly and even fraternal one, being satisfied that its benefits will result equally to those who are engaged in overthrowing and those who are engaged in defending the Union.

I have thus, under the President's direction, placed before you a simple, unexaggerated, and dispassionate statement of the origin, nature, and purposes of the contest in which the United States are now involved. I have done so only for the purpose of deducing from it the arguments you will find it necessary to employ in opposing the application of the so-called Confederate States to the government of his Majesty the Emperor for a recognition of its independence and sovereignty.

The President neither expects nor desires any intervention, or even any favor, from the government of France, or any other, in this emergency. Whatever else he may consent to do, he will never invoke nor even admit foreign interference or influence in this or any other controversy in which the government of the United States may be engaged with any portion of the American people. It has been simply his aim to show that the present controversy furnishes no one ground on which a great and friendly power, like France, can justly lend aid or sympathy to the party engaged in insurrection, and therefore he instructs you to insist on the practice of neutrality by the government of the Emperor, as all our representatives are instructed to insist on the neutrality of the several powers to which they are accredited.

Not entertaining the least apprehension of the departure from that course by his Majesty's government, it is not without some reluctance that the President consents to the suggestion of some considerations affecting France herself, which you may urge in support of it. France is an agricultural and manufacturing country. Her industry depends very largely on a consumption of her productions and fabrics within the United States, and on the receipt, in exchange, of cotton, or other staples, or their equivalent in money, from the United States. The ability of the United States to thus consume and furnish depends on their ability to maintain and preserve peace. War here will in any case be less flagrant, and peace, when broken, will be restored all the more quickly and all the more perfectly if foreign nations shall have the sagacity, not to say the magnanimity, to practice the neutrality we demand.

Foreign intervention would oblige us to treat those who should yield it as allies of the insurrectionary party, and to carry on the war against them as enemies. The case would not be relieved, but, on the contrary, would only be aggravated, if several European states should combine in that intervention. The President and the people of the United States deem the Union, which would then be at stake, worth all the cost and all the sacrifices of a contest with the world in arms, if such a contest should prove inevitable.

However other European powers may mistake, his Majesty is the last one of those sovereigns to misapprehend the nature of this controversy. He knows that the revolution of 1775 in this country was a successful contest of the great American idea of free popular government against resisting prejudices and errors. He knows that the conflict awakened the sympathies of mankind, and that ultimately the triumph of that idea has been hailed by all European nations. He knows at what cost European nations resisted for a time the progress of that idea, and perhaps is not unwilling to confess how much France, especially, has profited by it. He will not fail to recognize the presence of that one great idea in the present conflict, nor will he mistake the side on which it will be found. It is, in short, the very principle of universal suffrage, with its claim to obedience to its decrees, on which the government of France is built, that is put in issue by the insurrection here, and is in this emergency to be vindicated, and, more effectually than ever, established by the government of the United States.

I forbear from treating of questions arising out of the revenue laws of the United States, which lately have been supposed to have some bearing on the subject. They have already passed away before the proclamation of the blockade of ports in the hands of the revolutionary party. Nor could considerations so merely mercenary and ephemeral in any case enter into the counsels of the Emperor of France.

You will, naturally enough, be asked what is the President's expectation concerning the progress of the contest and the prospect of its termination. It is, of course, impossible to speculate, with any confidence, upon the course of a revolution, and to fix times and seasons for the occurrence of political events affected by the excitement of popular passions; but there are two things which may be assumed as certain: First. That the union of these States is an object of supreme and undying devotion on the part of the American people, and, therefore, it will be vindicated and maintained. Secondly. The American people, notwithstanding any temporary disturbance of their equanimity, are yet a sagacious and practical people, and less experience of evils than any other nation would require will bring them back to their customary and habitual exercise of reason and reflection, and, through that process, to the settlement of the controversy without further devastation and demoralization by needless continuance in a state of civil war.

The President recognizes, to a certain extent, the European idea of the balance of power. If the principle has any foundation at all, the independence and the stability af these United States just in their present form, properties, and character, are essential to the preservation of the balance between the nations of the earth as it now exists. It is not easy to see how France, Great Britain, Russia, or even reviving Spain, could hope to suppress wars of ambition which must inevitably break out if this continent of North America, now, after the exclusion of foreign interests for three-quarters of a century, is again to become a theatre for the ambition and cupidity of European nations.

It stands forth now to the glory of France that she contributed to the emancipation of this continent from the control of European states, an emancipation which has rendered only less benefit to those nations than to America itself. The present enlightened monarch of France is too ambitious, in the generous sense of the word, to signalize his reign by an attempt to reverse that great and magnanimous transaction. He is, moreover, too wise not to understand that the safety and advancement of the United States are guaranteed by the necessities, and, therefore, by the sympathies of mankind.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Hon. William L. Dayton, *&c., &c., &c.*

Mr. Faulkner to Mr. Black.

No. 111.]

Legation of the United States,
Paris, March 19, 1861.

Sir: I had the honor to-day to receive your despatch, No. 45, touching certain recent political movements in the United States. I had, of course, through the public journals, been made acquainted with the painful facts to which you refer; but your communication brings them now, for the first time, officially to my notice.

I need hardly say to you that the events which have signalized the history of the United States for the last few months have occupied the attention of a very large share of the statesmen and people of Europe. In all my intercourse, public and private, from the Emperor to the peasant, embracing all grades of ministerial and diplomatic agents, it has been the engrossing, I might almost say the only topic of conversation. A revolution was as little anticipated in the United States as an earthquake in Paris.

That large communities should be casting off the protection of a government to which thousands on this continent were looking for the realization of all their dreams of happiness on earth; that a system should be pronounced a failure which has produced, within a few years, the most extraordinary developments of national prosperity and power of which history has left any record; that a flag should be trampled in the dust which has never been stained by oppression, and which is hailed as the emblem of civil and religious freedom in every corner of the globe, were problems well calculated to rouse the inquisitive and to puzzle the uninformed. The consequence was, that there has been, within the last four months, throughout Europe a more thorough and general discussion, by the press and by individuals, of American institutions than had occurred for the previous twenty years. In general the press of Europe is in able and skilful hands; and if, in their late discussions, it has occasionally fallen into some egregious blunders, it shows how little familiar the best-informed were with the details of our system when those events arose which have attracted to our condition the gaze of Europe.

You inform me that it is not improbable that persons claiming to represent the States which have attempted to throw off their federal obligations will seek a recognition of their independence by the Emperor of the French; that you would regard such an act, on the part of the French government, as calculated to encourage the revolutionary movements of the seceding States, and to increase the dangers of disaffection in those which shall remain loyal; that it would be inconsistent with the friendship which the government of the United States has always heretofore experienced from the government of France; that it would tend to disturb the friendly relations, diplomatic and commercial, now existing between those two powers, and prove adverse to the interests of France and the United States.

You have not in your despatch informed me what line of policy it is the purpose of the federal government to adopt towards the seceding States, a fact most material in determining my own action, as well as the views to be addressed to a foreign power on the points presented by your instructions. If I correctly construe the intentions of the government, it looks to a pacific solution of the difficulties which now disturb its relations with the seceding States. In other words, it does not propose to resort to the strong arm of military power to coerce those States into submission to the federal authority. If this be a correct view of its proposed action, and all who understand the genius of our institutions and the character of our people must hope that it shall be such, the only difficulty will be in making European governments appreciate the spirit of such wise and conciliatory policy, and comprehend the just application of the principles of international jurisprudence to a state of facts so novel and peculiar.

The fact which seems chiefly to have governed the conduct of nations in establishing diplomatic and commercial relations with States or provinces which have thrown off their allegiance to the general power—I mean, of course, apart from the fact of their ability to maintain international relations with the world—is the practical cessation of all attempts by arms to enforce obedience to the authority asserted. This rule is founded upon the idea that force, successfully exerted or resisted, is the only criterion by which the respective claims to sovereignty of the contending parties can be adjudged. And, unfortunately, the past history of the world exhibits no other influence which has been deemed fit and proper to be invoked to maintain authority or to suppress revolution. But it is obvious that this rule cannot be rigidly applied by foreign governments to our political system, nor to the course of policy which the federal government has thought expedient to pursue towards the seceding States, without exhibiting, on the part of such foreign government, a most unfriendly disregard of the rights and interests of the remaining twenty-eight States, and an eager desire to dismember the confederacy. Where the parties place the issue fairly upon the arbitrament of the sword, there the result of arms must naturally determine the action of foreign powers. But where force is *ab initio* repudiated as the means of terminating the contest; where the appeal is to the reason, judgment, and interests of the seceding States; where time is an essential element to moderate excited passion, to examine into alleged grievances, and to apply the remedies provided by our constitutional system; and especially when it is known that propositions for the adjustment of the points at issue are now being considered by some of the most influential States of the confederacy, a hasty recognition by any foreign power of the independence of the seceding States would exhibit, upon the part of such foreign government, proof as unequivocal of an unfriendly spirit towards the United States as if such recognition were made amidst the clash of arms, and with a view of exerting a moral influence over the result of the struggle. It would seem to me, therefore, that no principle of international law, nor any considerations of courtesy or commercial benefit could justify a foreign power in adding to the embarrassments of our present domestic position by recognizing at this time the independence of the confederated States. No appeal will be made to its sympathy by the allegation of grievous wrong and oppression in the presence of the fact that nine other States, with the same rights and interests involved, equally free, brave, and high spirited, have not deemed the evil sufficient to justify a remedy so extreme. Time has not yet made manifest to the world how far those movements have sprung from passion, or are the results of deliberate judgment; whether they have originated in fears which have since proved unfounded, or are the settled convictions of the popular mind. Nor has any adequate opportunity been afforded for the correction of the grievance complained of by the regular operation of our constitutional system. The foreign power which would, under such circumstances, recognize the independence of those States, and thus frustrate and embarrass the regular and pacific adjustment of our own internal difficulties, would subject itself to grave accusations of hostility to the Union, and give to the federal authority, as the agent and representative of the remaining States, just cause of dissatisfaction.

I have no hesitation in expressing it as my opinion, founded upon frequent general interviews with the Emperor, although in no instance touching this particular point, that France will act upon this delicate question when it shall be presented to her consideration in the spirit of a most friendly power; that she will be the last of the great states of Europe to give a hasty encouragement to the dismemberment of the Union, or to afford to the government of the United States, in the contingency to which you refer, any just cause of complaint. The unhappy divisions which have afflicted our country have attracted the Emperor's earnest attention since the first of January last, and he has never, but upon one occasion of our meeting since, failed to make them the subject of friendly inquiry, and often of comment. He looks upon the dismemberment of the American confederacy with no pleasure, but as a calamity to be deplored by every enlightened friend of human progress. And he would act, not only in conflict with sentiments often expressed, but in opposition to the well understood feelings of the French people, if he should precipitately adopt any step whatever tending to give force and efficacy to those movements of separation, so long as a reasonable hope remains that the federal authority can or should be maintained over the seceding States.

The Emperor Napoleon has no selfish purpose to accomplish by the dismemberment of the American Union. As he has upon more than one occasion said to me: "There are no points of collision between France and the United States; their interests are harmonious, and they point to one policy, the closest friendship and the freest commercial intercourse." He knows full well that the greatness of our republic cannot endanger the stability of his throne, or cast a shadow over the glory of France. He would rather see us united and powerful than dissevered and weak. He is too enlightened to misapprehend the spirit of conciliation which now actuates the conduct of the federal authorities. He knows that appeals to the public judgment perform that function in our republic which is elsewhere only accomplished by brute force. And if armies have not been marshalled, as they would have been ere this in Europe, to give effect to the federal authority, he is aware that it is not because the general government disclaims authority over the seceding States, or is destitute of the means and resources of war, but from an enlightened conviction on its part that time and reflection will be more efficacious than arms in re-establishing the federal authority, and restoring that sentiment of loyalty to the Union which was once the pride of every American heart.

I have not, so far, heard that any commissioners have been sent by the seceding States to France. Should they, as you anticipate, arrive shortly, I think I am not mistaken in saying that they will find that the imperial government is not yet prepared to look favorably upon the object of this mission.

I have made this despatch longer, perhaps, than was necessary, for I have not had time to elaborate and digest my ideas very carefully, and submit them as suggestions to elicit more fully the views and instructions of the government.

I am, sir, very respectfully, your obedient servant,

CHAS. J. FAULKNER.

Hon. Jeremiah S. Black,
Secretary of State.

Mr. Faulkner to Mr. Seward.

[Extract.]

No. 119.]

Legation of the United States,
Paris, April 15, 1861.

Sir: I called to-day upon Mr. Thouvenel at the ministry of foreign affairs, and was promptly admitted to an interview. Agreeably to your request, I handed to him a copy of the inaugural address of President Lincoln, and added that I was instructed by you to say to him that it embraced the views of the President of the United States upon the difficulties which now disturbed the harmony of the American Union, and also an exposition of the general policy which it was the purpose of the government to pursue with a view to the preservation of domestic peace and the maintenance of the federal Union. Here Mr. Thouvenel asked if there was not some diversity of opinion in the cabinet of the President as to the proper mode of meeting the difficulties which now disturbed the relations of the States and general government. I replied, upon that point I had no information; under our system the cabinet was but an advising body; its opinions were entitled to weight, but did not necessarily compel the action of the President; the executive power was, by the Constitution, vested exclusively in the President.

I said that I was further instructed to assure him that the President of the United States entertains a full confidence in the speedy restoration of the harmony and unity of the government by a firm, yet just and liberal policy, co-operating with the deliberate and loyal action of the American people. Mr. Thouvenel expressed his pleasure at this assurance.

I further said that the President regretted that the events going on in the United States might be productive of some possible inconvenience to the people and subjects of France, but he was determined that those inconveniences shall be made as light and transient as possible, and, so far as it may rest with him, that all strangers who may suffer any injury from them shall be indemnified.

I said to him that the President thought it not improbable that an appeal would be made before long by the "confederated States" to foreign powers, and, among others, to the government of France, for the recognition of their independence; that no such appeal having yet been made, it was premature and out of place to discuss any of the points involved in that delicate and important inquiry; but the government of the United States desired the fact to be known that whenever any such application shall be made it will meet with opposition from the minister who shall then represent that government at this court.

I said to him that my mission at this court would very soon terminate, and that I should have no official connexion with the question which, it was anticipated, might arise upon the demand of the confederated States for the recognition of their independence; that my place would soon be supplied by a distinguished citizen of the State of New Jersey, a gentleman who possessed the confidence of the President, who fully sympathized in his public views, and who would doubtless come fully instructed as to the then wishes and views of the government of the United States, and that the only request which I would now make, and which would close all I had to say in the interview, was that no proposition recognizing the permanent dismemberment of the American Union shall be considered by the French government until after the arrival and reception of the new minister accredited by the United States to this court.

Mr. Thouvenel, in reply, said that no application had yet been made to him by the confederated States, in any form, for the recognition of their independence; that the French government was not in the habit of acting hastily upon such questions, as might be seen by its tardiness in recognizing the new kingdom of Italy; that he believed the maintenance of the federal Union, in its integrity, was to be desired for the benefit of the people north and south, as well as for the interests of France, and the government of the United States might rest well assured that no hasty or precipitate action would be taken on that subject by the Emperor. But whilst he gave utterance of these views, he was equally bound to say that the practice and usage of the present century had fully established the right of *de facto* governments to recognition when a proper case was made out for the decision of foreign powers. Here the official interview ended.

The conversation was then further protracted by an inquiry from Mr. Thouvenel when the new tariff would go into operation, and whether it was to be regarded as the settled policy of the government. I told him that the first day of the present month had been prescribed as the period when the new duties would take effect; that I had not yet examined its provisions with such care as would justify me in pronouncing an opinion upon its merits; that it was condemned by the commercial classes of the country, and that I had no doubt, from the discontent manifested in several quarters, that the subject would engage the attention of Congress at its next meeting, and probably some important modifications would be made in it. The finances of the government were at this time temporarily embarrassed, and I had no doubt the provisions of the new tariff were adopted with a view, although probably a mistaken one, of sustaining the credit of the treasury as much as of reviving the protective policy. He then asked me my opinion as to the course of policy that would be adopted towards the seceding States, and whether I thought force would be employed to coerce them into submission to the federal authority. I told him that I could only give him my individual opinion, and that I thought force would not be employed; that ours was a government of public opinion, and although the Union unquestionably possessed all the ordinary powers necessary for its preservation, as had been shown in several partial insurrections which had occurred in our history, yet that the extreme powers of government could only be used in accordance with public opinion, and that I was satisfied that the sentiment of the people was opposed to the employment of force against the seceding States. So sincere was the deference felt in that country for the great principles of self-government, and so great the respect for the action of the people, when adopted under the imposing forms of State organization and State sovereignty, that I did not think the employment of force would be tolerated for a moment, and I thought the only solution of our difficulties would be found in such modifications of our constitutional compact as would invite the seceding States back into the Union on a peaceable acquiescence in the assertion of their claims to a separate sovereignty. * * * * * * * * *

I am, very respectfully, your obedient servant,

CHAS. J. FAULKNER

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Dayton.

No. 7.]

DEPARTMENT OF STATE,
Washington, May 4, 1861.

SIR: The despatches of your predecessor, Nos. 117, 119, and 120, have been received; the latter acknowledging the receipt of our letter of recall and announcing his intended return requires no special notice.

No. 117 bears the date of the 5th of April last. It contains only an exposition of Mr. Faulkner's views of the policy which this government ought to pursue in regard to the disturbed condition of affairs at home, but at the same time gives us no information concerning the state of our affairs in France.

The instructions heretofore transmitted to you will show you the President's views on the subject Mr. Faulkner has discussed, and these will be your guide notwithstanding any different opinions your predecessor may have expressed or left on record at Paris.

No. 119 bears date of the 15th of April last, and contains a report of an official conversation, and also of an unofficial one held between Mr. Faulkner and Mr. Thouvenel.

In the former conversation Mr. Thouvenel asked Mr. Faulkner whether there is not some diversity of opinion in the cabinet of the President as to the proper mode of meeting the difficulties which now disturb the relations of the States and the general government. Mr. Faulkner, in reply, said that he had no information on the subject.

The matter is of no great moment, yet it is desirable that there be no misapprehension of the true state of the government in the present emergency.

You may, therefore, recall that conversation to Mr. Thouvenel's memory, and then assure him explicitly that there is no difference of opinion whatever between the President and his constitutional advisers, or among those advisers themselves, concerning the policy that has been pursued, and which is now prosecuted by the administration in regard to the unhappy disturbances existing in the country. The path of executive duty has thus far been too plainly marked out by stern necessities to be mistaken, while the solemnity of the great emergency and the responsibilities it devolves have extinguished in the public councils every emotion but those of loyalty and patriotism. It is not in the hands of this administration that this government is to come to an end at all—much less for want of harmony in devotion to the country.

Mr. Thouvenel's declaration that the United States may rest well assured that no hasty or precipitate action will be taken on the subject of the apprehended application of the insurrectionists for a recognition of the independence of the so-called Confederate States is entirely satisfactory, although it was attended by a reservation of views concerning general principles applicable to cases that need not now be discussed.

In the unofficial conversation Mr. Faulkner says that he himself expressed the opinion that force would not be resorted to to coerce the so-called seceding States into submission to the federal authority, and that the only solution of the difficulty would be found in such modifications of the constitutional compact as would invite the seceding States back into the Union, or a peaceable acquiescence in the assertion of their claim to a separate sovereignty.

The time when these questions had any pertinency or plausibility have passed away. The United States waited patiently while their authority was defied in turbulent assemblies, and in seditious preparations, willing to hope that mediation, offered on all sides, would conciliate and induce the disaffected parties to return to a better mind.

But the case is now altogether changed. The insurgents have instituted revolution with open, flagrant, deadly war to compel the United States to acquiesce in the dismemberment of the Union. The United States have accepted this civil war as an inevitable necessity. The constitutional remedies for all the complaints of the insurgents are still open to them, and will remain so. But, on the other hand, the land and naval forces of the Union have been put into activity to restore the federal authority and to save the Union from danger.

You cannot be too decided or too explicit in making known to the French government that there is not now, nor has there been, nor will there be any the least idea existing in this government of suffering a dissolution of this Union to take place in any way whatever.

There will be here only one nation and one government, and there will be the same republic, and the same constitutional Union that have already survived a dozen national changes, and changes of government in almost every other country. These will stand hereafter, as they are now, objects of human wonder and human affection.

You have seen, on the eve of your departure, the elasticity of the national spirit, the vigor of the national government, and the lavish devotion of the national treasures to this great cause. Tell Mr. Thouvenel, then, with the highest consideration and good feeling, that the thought of a dissolution of this Union, peaceably or by force, has never entered into the mind of any candid statesman here, and it is high time that it be dismissed by statesmen in Europe.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Wm. L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 5.] Paris, *May* 22, 1861.

Sir: I have the pleasure to announce to you my arrival in this city on Saturday, May 11. On Monday, application was made through our legation for an audience with Mr. Thouvenel, minister of foreign affairs, which was granted for the 16th instant, on which day I was duly presented to him by Mr. Walsh, of the American legation.

Mr. Thouvenel, in the course of the conversation, took occasion to say that he deeply regretted the condition of things in the United States, and that in this expression of feeling he represented the views and feelings of the Emperor; that so deeply concerned was the Emperor that he had felt disposed to offer his good offices, but had been deterred from the fear that his offer might not be well received; but should occasion for this arise, he would always be ready and happy to be of use. He made special inquiry as to the policy of our government in regard to neutral rights, particularly in reference to neutral property found in southern ships. He went into considerable detail to show that historical precedents were in favor of treating southern vessels as those of a regular belligerent, and applying the same doctrine to them as had always been upheld by the United States. He dwelt particularly upon the fact that Great Britain, during our revolutionary war, had not considered our privateers as pirates. I understood him to say that, as respects an effective blockade, it would be fully recognized and respected; but he seemed much impressed with the importance of understanding clearly the intentions of our government in reference to these matters as respects the foreign world.

As respects a tender of the kind offices of the Emperor I could only thank him for the interest in our country which the suggestion manifested, but gave him no reason to suppose such offer at this time would be accepted. As to the doctrines which our government would apply in reference to the blockade of southern ports and neutral rights, I told him I had no specific instructions at present, and could only refer him to the proclamation of the President and the general principles of international law which might bear on the case. I further informed him that immediately after my reception by the Emperor I would apprise my government of the anxiety of the French government to learn the views of our government more definitively upon these questions. You will not fail to have observed that the action of France and England upon this question of belligerent rights has been upon a mutual understanding and agreement.

Throughout the conversation he seemed anxious to impress upon me the great interest which France took in our condition, and their desire for the perpetuation of the Union of the States. He referred to the fact that France had aided in its formation, and did not desire to witness its dissolution. The recognition of the southern confederates as possessing belligerent rights he did not consider at all as recognizing them as independent States.

After the conversation had closed, to save time I at once presented a copy of my letters of credence, and requested an audience of the Emperor, &c.

On the next day I was informed by a note from the minister that I would be received at the palace on the 19th instant, at which time I was presented in due form to the Emperor, in the presence of certain officers of the court.

A copy of my remarks to the Emperor will be found enclosed, (letter A.) In reply, the Emperor, after a courteous welcome, and one or two remarks of a character personally complimentary, said, in substance, that he felt great interest in the condition of things in our country; that he was very anxious our difficulties should be settled amicably; that he had been and yet was ready to offer his kind offices, if such offer would be mutually agreeable to the contending parties; that whatever tended to affect injuriously our interests was detrimental to the interests of France, and that he desired a perpetuation of the Union of the States, with some additional remarks of like tenor and character. His observations were in the same vein as those of the minister of foreign affairs, and I doubt not were the frank expressions of his views on this subject.

Immediately after the formal part of my presentation had closed, and my letters of credence been delivered, he entered for a short time into general conversation. Upon taking my leave of the Emperor I was conducted by the grand chamberlain to the apartments of the Empress, and there presented to her. She repeated to some extent the same views already presented by the Emperor. My reception at the palace was in every respect agreeable. On Monday, the 20th instant, I called again on Mr. Thouvenel, in company with Mr. Sanford, (our minister to Belgium,) for the purpose of obtaining, if possible, a little more distinct information as to what France meant by the terms "neutral rights" and "belligerent" rights; how far he considered such rights as extending to the capture and condemnation of prizes in the ports of France, &c. He said in reply, in substance, that they held that the flag covers the cargo; and that if a southern ship carrying neutral property was captured, the property would not be condemned, &c. He hoped our government would recognize principles for which it had always contended. I told him it would certainly do so, but the question here was, whether there *was a flag;* that our government insisted that the confederates, being merely in rebellion, had no flag, and I could not exactly understand how a foreign government which had not recognized them as an independent power could recognize them as having a flag. He said, furthermore, that the French government had given no warning to their citizens, &c., (as the English government had,) by proclamation, because it was unnecessary; that the statute law of France (of 1825, April 10, I think) declared that any French citizen taking service under a foreign power lost all claim to protection as a citizen; that if a subject of France should take service on board of a letter of marque licensed by the Confederate States, it would be, as I understood him, piratical on the part of such subject. He said, furthermore, that no letters of marque could be fitted out in their ports, or *even sheltered* there, unless they came in from necessity, (as stress of weather, &c.,) and then could remain, I think, but twenty-four hours; that consequently there could be no bringing of prizes into French ports, and while there a condemnation of them in the courts of the southern States. His conversation on this part of the case was very satisfactory, and he promised me a reference in writing to the French statutes bearing on the question. He added that the French government had addressed certain interrogatories to our government, and would await their answer. The disposition of this government to keep on friendly relations with us is, I think, manifest, and it will not, I judge, be diminished by the obvious fact that certain portions of the public men and the press of England are felicitating themselves on the condition of things in America. The policy of having a heavy commercial power in the west, as some counterpoise to the marine power of England, is too manifest to escape a mind so sagacious as that of the present Emperor of the French. I had taken the liberty before the reception of your last despatch, dated 4th instant, of assuring all persons, official and otherwise, with whom I came in contact, that the most effective measures were being taken by our government to crush out this causeless and wicked rebellion, and that I believed such efforts would be continued to the end; that the fears (which existed in some quarters) that the government would again temporize, and lose the advantage which the present determined enthusiasm of the people gave to it, were groundless. I find very strong feelings existing here in behalf of the Union among the American citizens from the northern States, and a determination to support the government with men and money.

* * * * * * * * * *

I have had many applications since here by foreigners for service as officers in the army of the United States, and I understand from one of the former secretaries of the legation that many applications were made at the office of the legation before I came. There was one case only, as the secretary says, of an application at the office of the legation for service in the army of the south, and this was from an anonymous correspondent, the note seeking service being unsigned. To these applications I have said that our service was open to volunteers, but I had no authority to commit the government to appointments; that, in fact, we needed arms rather than men. * * *

No formal notice of the blockade of southern ports has been given to the government here, unless through the agency of the French minister at Washington. Indeed, I think I understood Mr. Thouvenel to say that they had received no such formal notice at all. I shall call the attention of Mr. Thouvenel to the original proclamation when I communicate to him (as I shall at once do) the additional proclamation (just received) of the blockade of the ports of Virginia and North Carolina.

* * * * * * * * * *

I have opened, since here, (directed to my predecessor,) a copy of the President's proclamation as to the blockade of the ports of Virginia and North Carolina, dated 27th April, 1861. I received likewise despatch No. 4 last night, containing views of the government at Washington as to the abolition of privateering, and enclosing to me a commission to effect with the French government a treaty for that purpose, with the form of such treaty. This is of great importance, and will affect in a material degree the means of defence on the part of our country in time of war. I shall proceed in conformity, however, with these instructions to communicate with the minister of foreign affairs on the subject. But I cannot help feeling, in view of what the French law is, as heretofore stated, and the little danger to our commerce which can soon arise from any action of this government or of its subjects from privateers, that I had better attempt again to obtain a provision exempting from seizure *private* property afloat (unless contraband) the same as private property is now exempt on land. I should very much regret an opportunity lost to obtain such a treaty provision, if possible, before we give up that species of volunteer marine by which we are enabled in some degree to affect the commerce of other nations, having a heavier naval marine, while they are destroying our own. The Emperor is about to leave Paris for the country, and it is doubtful if great expedition can be had in this matter; but, acting under the direct instructions of the government at home, I shall incur no unnecessary delay in carrying those instructions (if I can procure no better terms) into effect.

* * * * * * * *

I have received your despatch (No. 7) containing instructions as to matters to be communicated to Mr. Thouvenel in reference to the unity of the cabinet at Washington and the intentions of the government to prosecute the war with the utmost effect.

I will, at the earliest moment, so state to Mr. Thouvenel, though it will be to some extent a restatement of what has already been said. There has, I fear, been some misapprehension upon the minds of the authorities here upon this subject.

Since my arrival here my engagements, personal and official, have been constant; so much so that it has not been in my power to communicate as promptly with your department as I would have desired.

* * * * * * * *

Your very obedient servant,

WM. L. DAYTON.

Hon. William H. Seward,
Secretary of State.

A.

Your Majesty: I have the honor to present to your Imperial Majesty these, my letters of credence from the President of the United States of America, accrediting me as envoy extraordinary and minister plenipotentiary near to your Majesty.

By these letters it is made my especial duty, as it will certainly be my pleasure, with the assent of your Majesty, to cultivate and strengthen the friendship and good correspondence which has heretofore existed between France and the United States, and as far as possible to preserve and advance the interest and happiness of both nations. The people of the United States have not forgotten, nor can they ever forget, that France was their first ally, and throughout the whole period of their national existence has been (with a passing cloud only) their constant friend. An unbroken intercourse of good offices and kind feelings between two great nations for so long a period affords just cause of pride and congratulation to both. Each year has continued to enlarge those business interests which bind us together, and I am happy to know that at no period in our past history have those interests been more prosperous than under the wise, liberal, and enlightened policy of your Imperial Majesty. All our recollections of the past, all our interests of the present, and all our hopes for the future, prompt the United States to cultivate with sedulous care those friendly relations with the government of France which have existed so long and been productive to each nation of results so auspicious.

I have it specially in charge from the President of the United States to give assurance to your Imperial Majesty of his disposition to cultivate such friendly relations; to assure your Majesty personally of his high respect and appreciation; to tender to you, to the Empress, your imperial consort, and to each of the members of the imperial family, his best wishes for their health, prosperity, and happiness. Permit me only to add that the mission near to your Imperial Majesty, with which I have been honored, is one most grateful to my feelings, and without neglecting the interests of my own government, I shall endeavor so to discharge its duties as to make my residence here entirely agreeable to your Majesty.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 6.] PARIS, *May* 27, 1861.

SIR: Immediately after closing my last despatch I wrote to Mr. Thouvenel a note apprising him that I was fully authorized to enter into a convention with the government of France in respect to privateering, the rights of neutrals, and the matter of blockade, and requesting him, if disposed to renew negotiations upon these subjects, to name a day for conference.

My note was not sent until the 25th instant. A copy is attached, marked letter A.

On the same day, to wit, the 25th of the present month, I sent to Mr. Thouvenel a copy of the President's proclamation of the blockade of the ports of Virginia and North Carolina, referring, at the same time, to the previous blockade of the other southern ports. A copy of my note is attached, marked letter C.

On the 24th instant I received from the minister of war a note as to certain fire-arms for the State of Virginia, applied for by my predecessor, Mr. Faulkner; a copy of which note, marked D, together with my answer thereto, marked E, is hereunto attached.

* * * * * *

I recently received from the agent of our Havre line of steamers a request that I would (by application to the government for munitions of war) aid him to put the steamer Fulton in a condition of defence on her homeward voyage; which I did, so far as I could, by presenting his request to the government. A copy of his request, indorsed by me, is herewith attached, marked H. I presume the request was granted, as I have heard nothing since from the agent, and the steamer leaves her port to-day.

I have just received the despatches, by the last steamer, directed to Mr. Sanford, to whom I immediately delivered them; and likewise your circular to me upon the subject of passports, with which I shall carefully comply.

Mr. Thouvenel has promptly answered my note informing him I was authorized to enter into a convention as to privateering, &c., and has designated to-morrow, at 4 p. m., for a conference. In my next despatch I shall be able, doubtless, to give you some information as to the views of the French government on this subject. Mr. Marsh has been here, engaged in doing good service by matter communicated for use through the English press.

Mr. Burlingame is remaining here for a short time, acting under the advice of his brother diplomatists, owing to matter confidentially communicated from Vienna.

With much consideration, your obedient servant,

WM. L. DAYTON.

Hon. WM. H. SEWARD,
Secretary of State.

A.

PARIS, *May* 24, 1861.

SIR: I have the honor to inform your excellency that I am fully authorized by my government to enter into a convention with the government of France in reference to the subject of privateering, the rights of neutrals, and the matter of blockade.

If, therefore, the government of his Imperial Majesty remains disposed to renew negotiations upon these subjects, I shall be happy to have a conference with your excellency at such time as your excellency may indicate.

With great respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

Mr. THOUVENEL, *Minister of Foreign Affairs.*

C.

PARIS, *May* 24, 1861.

SIR: I beg to enclose to your excellency a copy of a proclamation issued by the President of the United States on the 27th of April last, establishing a blockade of the ports of the States of Virginia and North Carolina.

A prior proclamation, dated 19th April last, established a blockade of the ports of the States of South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, and Texas, of which your excellency has doubtless had notice.

With much respect, I have the honor to be your excellency's obedient servant,

WM. L. DAYTON.

Mr. THOUVENEL, *Minister of Foreign Affairs.*

D.

PARIS, *May* 24, 1861.

SIR: The 27th September, 1860, your predecessor having requested me to have the goodness to deliver to him, from the state arsenal, four fire-arms (4 *armes ā feu*) and two other arms (*armes blanches*) for the State of Virginia, I authorized the said delivery, with the approbation of the Emperor; and the 22d of October, 1860, I informed Mr. Faulkner that the artillery board of Paris held these arms at the disposition of the Virginia commissioners.

Up to this moment there has not been a delivery, and the letters of the director colonel of artillery, as also my despatch of the 21st of March last to Mr. Faulkner, remain unanswered.

Interpreting this silence as a renunciation of the request of the State of Virginia, I have the honor to inform you that, unless you intimate a desire to the contrary in the course of a few days, I shall order the director of artillery at Paris to consider the authorization of the 22d of October, 1860, as null.

Accept, sir, the assurance of the most distinguished consideration with which I have the honor to be your very humble and very obedient servant,

RANDON,

Le Marechal de France, Ministre Secretaire d'etat de la Guerre.

E.

Paris, *May* 26, 1861.

Sir: I have the honor to acknowledge your letter of the 24th instant, calling my attention to the fact that my predecessor, on the 27th of September last, requested you to have the goodness to deliver to him, from the government arsenal, four fire-arms (4 *armes à feu*) and two other arms (*armes blanches*) for the State of Virginia, and that you authorized the said delivery, with the approbation of the Emperor, on the 22d of October, 1860; and that you informed Mr. Faulkner that the artillery board of Paris held those arms at the disposition of the Virginia delegates; that up to the date of your note to me the letter from the colonel of the artillery staff and your own despatches of the 21st of March last, addressed to Mr. Faulkner, have remained unanswered, &c.

I beg to say to your excellency that I am altogether ignorant of the causes of delay on the part of my predecessor in answering the communications referred to, and asking for the delivery of the arms in question.

I pray you, sir, to accept for yourself, and convey to the Emperor, my grateful acknowledgments, in behalf of the United States, for the courtesy extended in the expression of a readiness to grant the request of my predecessor; while I deem it proper to say at once that the request for the arms referred to will not, under existing circumstances, be renewed by *me* in behalf of the State of Virginia.

I beg to assure you, sir, of the high consideration with which I have the honor to be your obedient servant,

WM. L. DAYTON.

Mons. le Marechal Comte Randon,
Minister de la Guerre.

H.

Paris, *May* 23, 1861.

Excellency: The necessity which exists for arming our steamer, the Fulton, against any attack of the privateers of the southern confederacy obliges Captain Walton to provide himself with *two hundred rifles.* These guns, which we have purchased at Leige, (Belgium,) will be delivered to-day or to-morrow at Havre.

But we have no cartridges for these guns, and are obliged to buy them in France, and cannot obtain them without an authorization from the minister of war. We are thus obliged to appeal to you, to beg your powerful influence in obtaining the necessary munitions.

We desire that the French government furnish us, delivered on board the steamer Fultôn, at Havre, *twenty thousand cartouches for hunting rifles*, of the calibre $17\frac{8}{10}$ for the muzzle of the guns. Either our house, at Paris, or that of Messrs. W. Selim & Co., at Havre, will pay the bills.

The steamer Fulton will quit Havre Tuesday morning, 28th instant, and it will be necessary that the munition should be delivered Monday.

We pray your excellency to accept, *in entram*, the expression of the profound gratitude and our distinguished consideration of your excellency's most obedient servants,

SHELBERT, KANE & CO.,
8 *Place de la Bourse.*

His Excellency Mr. Dayton,
Minister of the United States of America, Paris.

Mr. Seward to Mr. Dayton.

No. 10.]

DEPARTMENT OF STATE,
Washington, May 30, 1861.

SIR: Mr. Sanford, who was requested by me to look to our interests in Paris in the interval which might elapse between the withdrawal of Mr. Faulkner and your own arrival, has transmitted to me (in his despatch No. 2) an account of a very interesting conversation which he has recently held with Mr. Thouvenel on our internal affairs.

In that conversation Mr. Thouvenel intimated that, in view of the great commercial interests which are involved in the domestic controversy which is now agitating the United States, the French government had felt itself constrained to take measures, in conjunction with the government of Great Britain, to meet a condition of things which imperiled those interests. That it had been decided that communications of a similar tenor should be addressed by both of those governments to the government of the United States, and that those communications would be forwarded in the current week. Mr. Thouvenel kindly foreshadowed the points of those communications.

As those papers may be expected to arrive by, perhaps, the next steamer, I shall reserve comments upon the propositions indicated until they shall thus be fully and directly brought to the attention of the President.

There are, however, some points in the conversation, or suggested by it, which I cannot properly suffer to pass unnoticed.

First. I desire that Mr. Thouvenel may be informed that this government cannot but regard any communications held by the French government, even though unofficial, with the agents of the insurrectionary movement in this country as exceptionable and injurious to the dignity and honor of the United States. They protest against this intercourse, however, not so much on that ground as on another. They desire to maintain the most cordial relations with the government of France, and would therefore, if possible, refrain from complaint. But it is manifest that even an unofficial reception of the emissaries of disunion has a certain though measured tendency to give them a prestige which would encourage their efforts to prosecute a civil war destructive to the prosperity of this country and aimed at the overthrow of the government itself. It is earnestly hoped that this protest may be sufficient to relieve this government from the necessity of any action on the unpleasant subject to which it relates.

Secondly. The United States cannot for a moment allow the French government to rest under the delusive belief that they will be content to have the confederate States recognized as a belligerent power by States with which this nation is in amity. No concert of action among foreign States so recognizing the insurgents can reconcile the United States to such a proceeding, whatever may be the consequences of resistance.

Thirdly. The President turns away from these points of apprehended difference of opinion between the two governments to notice other and more agreeable subjects.

The tone of Mr. Thouvenel's conversation is frank, generous, and cordial; and this government feels itself bound by new ties to France when her Emperor avows his desire for the perpetual union of the States. Especially does this government acknowledge that it is profoundly moved by the declaration of his Majesty, that he would be willing to act as mediator in the civil strife that unhappily convulses our country. These expressions of good will are just what have been expected from the Emperor of France. This government desires that his Majesty may be informed that it indulges not the least apprehension of a dissolution of the Union in this painful controversy. A favorable issue is deemed certain. What is wanted is that the war may be as short, and attended by as few calamities at home and as few injuries to friendly nations, as possible. No mediation could modify in the least degree the convictions of policy and duty under which this government is acting; while foreign intervention, even in the friendly form of mediation, would produce new and injurious complications. We are free to confess that so cordial is our regard for the Emperor and our confidence in his wisdom and justice, that his mediation would be accepted if all intervention of that kind were not deemed altogether inadmissible. This government perceives, as it thinks, that the French government is indulging in an exaggerated estimate of the moral power and material forces of the insurrection. The government of the United States cheerfully excuses this error, because it knows how unintelligible the working of the American system and the real character of the American people are to European nations. This government knows, moreover, and painfully feels, that the commercial interests of European states are so deeply involved in the restoration of our domestic peace as to excite the highest anxiety and impatience on their part. But it desires the French government to reflect that our commercial interests involved in the issue are even greater than their own; and that every motive that France can have for desiring peace operates still more powerfuily on ourselves, besides a thousand motives peculiar to ourselves alone. The measures we have adopted, and are now vigorously pursuing, will terminate the unhappy contest at an early day, and be followed by benefits to ourselves and to all nations greater and better assured than those which have hitherto attended our national progress. Nothing is wanting to that success except that foreign nations shall leave us, as is our right, to manage our own affairs in our own way. They, as well as we, can only suffer by their intervention. No one, we are sure, can judge better than the Emperor of France how dangerous and deplorable would be the emergency that should intrude Europeans into the political contests of the American people.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

[Extracts.]

Paris, *May* 30, 1861.

Sir: Since the date of my despatch No. 6 I have had an interview with Mr. Thouvenel.

I told him I was authorized to accept the propositions adopted at the congress of Paris in 1856, but with the desire expressed by the President that the provisions should be added exempting private property afloat, unless contraband, from seizure and confiscation. I did not say, nor did he ask, whether the four propositions would be accepted without amendment. He said nothing could be done except by conference with the other powers, but if I would submit the proposition in writing, which I shall at once do, he would immediately address the other powers, and we would probably receive an answer in ten or twelve days.

I have been induced to suggest again the adoption of this amendment exempting private property afloat from seizure and confiscation: (1.) From the preference or wish of the President expressed in your letter of instruction. (2.) From the great importance, as it seemed to me, of securing the adoption of the principle, if possible, before the United States should give up the right of privateering. (3.) From the facts patent on the correspondence of this legation in 1856, whereby it appears that France and Russia were both favorably disposed at that time to the adoption of the principle of the amendment, (see Mr. Marcy's despatch to Mr. Mason, No. 94, dated October 4, 1856, and Mr. Mason's confidential letter to Mr. Dallas, of December 6, 1856,) and the obvious fact that it would be the interest of all the other powers (having little naval force) to concur in the amendment. (4.) From the fact that since the date of your despatch to me authorizing the acceptance of the four propositions adopted by the congress at Paris, Mr. Sanford, our minister to Belgium, on a visit to England, learned from Mr. Adams that the British government had given, as he understood, general instructions on the subject to Lord Lyons; and the impression made on the mind of Mr. Adams, as reported to me by Mr. Sanford, was that it was not improbable that England would now, to secure our concurrence in the other propositions, concur in the amendment. That in view of this information, Mr. Adams, who had like instructions with my own, had referred the matter back to be treated of and discussed at Washington. I could not, therefore, at once accept the four propositions, pure and simple, without running the hazard of conflicting with what might be done elsewhere.

I will probably receive an answer from Mr. Thouvenel (after he shall have communicated my proposition to the other powers) before even I shall receive my next despatch on this subject from Washington, which I shall await with some anxiety.

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The laws, however, in connexion with the practice of the tribunals of France are, I think, as follows:

1. That the captain who accepts a commission from a foreign government and takes command of a cruiser is guilty of a piratical act.
2. That all French subjects enlisting on board of such cruiser, without authority of the Emperor, lose their citizenship, and consequently forfeit their right to the protection of their government.
3. That the principle applied in the French tribunals is unlike that which has been applied in England (and I fear it will be found in the United States) as to harboring privateers; and while their prizes are in a neutral port having them condemned in courts of admiralty of the country licensing such privateer. The laws and practice of the French courts do not admit of this. But these matters, as Mr. Thouvenel now says, must be all left for determination to the tribunals of France.

I am happy to say that there is no disposition manifested here, so far as I have observed, to favor the rebellion in our southern States, or to recognize them as an independent power. All recognition of rights on their part is for commercial purposes only. But the government of France cannot, it says, look at this rebellion as a small matter. That, embracing as it does a large section and many States, they cannot apply to it the same reasoning as if it were an unimportant matter or confined to a small locality.

Mr. Thouvenel says he has had no application from southern commissioners for any purpose of recognition, and he does not know even that such persons are or have been in Paris.

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I send you a copy of "Gallignani's Messenger," containing a report of the proceedings of a large and enthusiastic meeting of Americans yesterday at the Hotel du Louvre.

With high consideration, your obedient servant,

WM. L. DAYTON.

Hon. William H. Seward,
Secretary of State.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 11.] Paris, *June* —, 1861.

Sir: Your despatch (No. 10) was received by me on the 18th instant, and its substance communicated to Mr. Thouvenel on the 19th. On that day I had with him an interesting conversation. I communicated to him the very kind language which you had used in behalf of the President in reference to the Emperor and his willingness to mediate between the north and south, should such mediation be desired. Nothing could have been better expressed than the language of your own despatch; and, without formally reading it to him, I endeavored to repeat, substantially, its language. Mr. Thouvenel seemed much gratified at its tone, and inasmuch as the Emperor had made like remarks to me personally, I begged that your reply might be specially communicated to him, which was readily promised. This, as you may infer, was the most agreeable part of my duty, as connected with your despatch.

A short editorial in reference to the recognition of the independence of Italy, and in that connexion of the States of the south, which is herewith enclosed, first appeared in the *Patrie*, (a newspaper published in this city, and which has heretofore had a semi-official character.) It was republished on Sunday last in the "Moniteur" without remark, thus giving it an official significance which would not otherwise have been attached to it. It attracted much attention here, and some anxiety. I resolved that, at the first opportunity, I would seek an explanation from the minister of foreign affairs. After my communication of your kind remarks, before referred to, I availed myself of the opportunity of calling his attention to this matter. He at once said that his own attention had been arrested by it; that it was a "silliness;" that Mr. Persigny (minister of the interior) was more dissatisfied with it even than he was; that the *Patrie* had ceased, ten days ago, to be a semi-official paper; that he did not know how the paragraph had crept into the *Moniteur*, but that Count Walewski (minister of state) had been out of the city for ten days past, and that as a consequence matters had not had the usual oversight. He read me a note from the count, in answer to one he (Mr. Thouvenel) had written, inquiring if it would not be better to insert something to show that the paragraph was printed in the *Moniteur* by mistake, to which note the count replied that he thought it would be giving an unnecessary importance to the matter, and in that view Mr. Thouvenel, upon reflection, concurred. But he said he was vexed at the insertion in the *Moniteur*, and at the commentaries likely to be made upon it. He said, furthermore, (what he has so often said before,) that the French government had no sympathy whatever with the seceding States of the south; that it had no idea of recognizing them as an independent power; that should they, in the course of time, obtain a status as an independent power among nations, and show themselves able to maintain that position, the French government might ultimately recognize them; but this would be after the expiration of a time ample to test their ability in this behalf. He said, incidentally, three or four years, though I do not suppose he intended anything by this, except to explain more fully his meaning.

He said, furthermore, he had received Mr. Rost, (one of the commissioners of the south,) who applied to him through a third party; that he had not applied to be received as a commissioner from the south; if he had so done he would not have received him. * * * * * *

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Mr. Thouvenel referred, in terms of satisfaction, to a private note which he had received from you, through this legation.

I have just received a note from Mr. Perry, our chargé d'affaires at Madrid, under date of the 16th instant, stating that on the next or following day a decree of that government would be made in reference to privateers and Spanish ports, of a like character, in the general, as that which has been made by the French government. This, in view of the locality of certain ports of Spain, will be an important benefit to us.

With a blockade of the ports of the south, and the ports of other nations closed against them, there will be little hope left for profitable marauding on the high seas.

I think I may say with some confidence that all the efforts of the agents of the confederates on this side of the channel have thus far been abortive. They have no encouragement to their hopes of recognition. They have met with no success in their attempts to negotiate a loan. I do not believe they have got any considerable supply of arms, and I think that we know substantially *what they have done* and are *attempting to do.* My only fear is of a possible, not probable, reverse to our arms in Virginia, and a rush, under the excitement of a first victory, upon the city of Washington. Should they get possession, by any possibility, of that point, the prestige it would give them (aside from any strategic advantage) might be productive of most unhappy results. God grant that no such future may hang over us.

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With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

Hon William H. Seward,
Secretary of State.

[Translation.]

The "Patrie" says:

It is asserted that negotiations will be opened to bring about the re-establishment of diplomatic relations between France and the court of Turin. If they take effect, the consequence will be the recognition of the Italian kingdom, composed of the provinces and states which have passed under the sceptre of his Majesty King Victor Emanuel, at the close of occurrences upon which France has not at this time occasion to express herself, but which have transpired through favor of the principle of non-intervention recognized in Europe.

The renewal of diplomatic relations with Turin would not imply on the part of France, on the subject of the policy of the Italian kingdom, any judgment upon the past, nor any solidarity for the future. It would make it appear that the government *de facto* of this new state is sufficiently established to render it possible to entertain with it those international relations which the interests of the two countries imperatively require.

France, in her new attitude, would not purpose to interfere at all with the internal or external affairs of the Italian kingdom, which must be sole judge of its administration, as it is of its future and its destinies. It will act towards it as at some future day the great European powers will act upon the American question, by recognizing the new republic of the southern States when that republic shall have established a government resting on foundations which will permit the formation of international relations with it conducive to general interests.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 9.] Paris, *June* 7, 1861.

Sir: I have the honor to acknowledge the receipt of a circular dated May 6, 1861, giving instructions in respect to granting passports.

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I understood him (M. Thouvenel) to say an answer could be got within ten or twelve days from the other powers. I was surprised at the briefness of the time stated, but supposed he meant to consult the representatives of those powers at this court; but his remark, as I am now informed, applied to a consultation with certain of the ministers of the French government only. The statement in the American newspapers, that the Department of State had authorized the acceptance of the Paris treaty of 1856 (if that is understood by Lord Lyons to be a distinct acceptance of the treaty, pure and simple) will, I fear, prevent all chance of other terms. The late annunciation of the course of the British government, shutting their ports against privateers, (which so much limits the belligerent rights of the so-called Confederate States,) you will consider, perhaps, renders the accession of our government to the treaty of Paris at this time of less importance than it otherwise would be. I think, from remarks in the New York press, (Herald and Times, and perhaps other prints which I have not seen,) that the force and efficacy of an accession by our government to the treaty of Paris is misunderstood. If I understand the view of these foreign governments, such accession by us would merely bind our hands as respects privateering; it would not at all enlarge our rights as against a belligerent power *not a party* to the treaty; nor would it bind these European governments to enforce the laws of piracy as against such belligerent power *not a party to the treaty.* If they admit the Confederate States as a belligerent power, and recognize them for even commercial purposes, (which, I take it, is what they mean to do,) our accession to the treaty of Paris will not change their action on this question. The status of these rebellious States as respects privateering will remain where it was; at least that is the view which I think is and will be taken of this question by England and France. But however this may be, I am happy to know that, in suggesting to the French government the amendment to that treaty, (securing private property afloat, unless contraband,) I have occasioned no unnecessary delay, inasmuch as Mr. Adams has referred the whole matter back to Washington, and as soon as you shall act there, or before, upon a notification to me, I can act here.

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With high consideration, I have, &c.,

WM. L. DAYTON.

Hon. WM. H. SEWARD, *Secretary of State.*

Mr. Seward to Mr. Dayton.

No. 13.]

DEPARTMENT OF STATE,
Washington, June 8, 1861.

SIR: Your despatch of May 22d (No. 5) has been received. Your safe arrival at your post of duty in this crisis, when our relations to foreign countries, and especially to France, have assumed a degree of interest and importance never known before since the Constitution was established, is a source of sincere satisfaction.

The President approves the sentiments you expressed on your presentation to his Imperial Majesty. The manner in which he received you, and the friendly expressions made by himself, as well as those which were employed by Mr. Thouvenel, although not unexpected, have given us the liveliest satisfaction.

We appreciate highly the Emperor's assurance that he would mediate between the government and the insurgents, with a view to the maintenance and preservation of the Union, if such intervention were deemed desirable by us; and that generous offer imposes a new obligation upon us toward France, which we acknowledge with sincere pleasure.

If mediation were at all admissible in this grave case, that of his Majesty would not be declined. But the present paramount duty of the government is to save the integrity of the American Union. Absolute, self-sustaining independence is the first and most indispensable element of national existence. This is a republican nation; all its domestic affairs must be conducted and even adjusted in constitutional republican forms and upon constitutional republican principles. This is an American nation, and its internal affairs must not only be conducted with reference to its peculiar continental position, but by and through American agencies alone. These are simple elementary principles of administration, no one of which can be departed from with safety in any emergency whatever; nor could it be departed from with the public consent, which rightfully regulates, through constitutionally constituted popular authorities, the entire business of the government.

I have set them forth in no invidious, uncharitable, or ungenerous spirit. I state them fairly and broadly, because I know the magnanimity of the Emperor of France, and I know that he can appreciate directness and candor in diplomacy. I know, moreover, that he is a friend of the United States, and desires that they may continue one great and independent nation forever. I know still further, that the principles I have thus stated will commend themselves to his own great wisdom. To invite or to accept mediation would be incompatible with these principles.

When all this has been said, you will then further say to Mr. Thouvenel, or to the Emperor, that if any mediation were at all admissible it would be his own that we should seek or accept.

You may say, at the same time, that this government has no apprehension whatever of its being unable to conduct our domestic affairs through this crisis to a safe conclusion; that consummation is even not far distant, if foreign powers shall practice towards us the same forbearance from intervention which we have habitually practiced towards them in emergencies similar to our own; that intervention by them would only protract and aggravate the civil war in which we are unhappily engaged; that civil war is a scourge to which we are more sensitive than any other people, but that the preservation of national unity, which is national existence, reconciles us to every form of difficulty and to the longest possible endurance of the trial in which we are engaged.

Other subjects mentioned in your despatch will be the subject of a special communication after we shall have received the information from the French government which Mr. Thouvenel told Mr. Sanford that he should send with very little delay. It seems desirable to have the positions of the French government in regard to our affairs, as stated by itself, before we answer to inquiries bearing on the subjects to be discussed, which were referred to us through the conversation which took place at the time of your reception.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c. &c., Paris.*

P. S.—I enclose a copy of a note of this date to Lord Lyons, which will dispel any uncertainty which the French government may entertain in regard to our recognition of a rule of international law which they may deem important.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 10.] Paris, *June* 12, 1861.

Sir: Your despatch (No. 10) was duly received on the 9th instant, and, by the same steamer, certain enclosures which were delivered by me to Mr. Sanford as directed.

Your despatch (which is of great interest) was likewise handed by me to Mr. Sanford, to be read and copied if desired, with strict injunctions as to the necessary care to prevent all premature exposure of its contents. * *

You will observe in the first column of "Le Moniteur Universel" (a copy of which is herewith sent) that his Majesty the Emperor of the French, has published a formal declaration, setting out the principles by which this government will be controlled in respect to vessels of war or privateers of the United States and of those who *assume* to have formed ("prétendent former") a separate confederation. These principles are substantially the same as those set forth in my despatch No. 5, and, if they are thoroughly carried out by this government, I do not see that much danger can arise to our commerce from French subjects, or any facilities afforded by French ports. Indeed, if the insurrectionists of the south are recognized as belligerents, I do not see how we can justly ask or expect the French government to go further against the pretended confederacy than it has gone in this declaration. That part of the declaration which puts the vessels of the United States in the same category as the vessels of the Confederate States, may, I think, be justly complained of; but this grows almost necessarily out of the recognition of those States as belligerents. France has placed upon their rights as belligerents (as it seems to me) the utmost limitation that she could put upon them, consistently with the recognition of such rights at all. She has done this, moreover, without offensive promulgation of sympathy with the southern rebels either upon the part of the government or its statesmen, but with expressions of kindness and respect for us throughout.

I have not yet received from Mr. Thouvenel an answer to my written proposition to open negotiations for the accession of the United States to the treaty of Paris of 1856. A copy of that written proposition, marked A, is hereunto attached.

The European press, so far as I have observed, take it for granted that the accession of the United States to that treaty would not at all alter the relations of the several powers to the so-called southern confederacy. A treaty cannot of itself alter the law of nations, although it may restrict the rights of those States which become parties to it. The treaty of Paris certainly did not prevent the United States, while no party to it, from issuing letters of marque, nor would the accession of the United States to such treaty prevent the confederates of the south from doing the same thing if they are recognized by other nations as a belligerent power. The whole difficulty, every subsequent right which has been conceded to the confederates, grows out of that recognition.

It is doubtful, perhaps, whether the other powers will, under the circumstances, negotiate for the accession of the United States at this time to the treaty in question; but should they do so, it will be with the understanding, I take it, that it imposes no new duties upon them growing out of our domestic controversy. I beg pardon, however, for these suggestions. They may, perhaps, be considered a little beyond the line of my official duties.

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With high consideration, I have the honor to be your obedient servant,

WM. L. DAYTON.

Hon. William H. Seward,
Secretary of State, &c.

A.

Paris, *May* 31, 1861.

Sir: In conformity with the verbal promise I gave at our last conference, I now have the honor to propose to your excellency an accession, on the part of the United States of America, to "the declaration concerning maritime law," adopted by the plenipotentiaries of France, Great Britain, Austria, Prussia, Russia, Sardinia, and Turkey, at Paris, on the 16th of April, 1856, with the addition to the first clause, which declares "privateering is and remains abolished," of the following words: "And the private property of the subjects or citizens of a belligerent on the high seas shall be exempted from seizure by public armed vessels of the other belligerent, unless it be contraband."

Thus amended I will immediately sign a convention on the part of the United States, acceding to the declaration, which will, I doubt not, be promptly ratified and confirmed by my government.

With much respect, I have the honor to be your very obedient servant,

WM. L. DAYTON.

His Excellency Monsieur Thouvenel,
Minister of Foreign Affairs.

Mr. Seward to Mr. Dayton.

No. 19.] DEPARTMENT OF STATE,
Washington, June 17, 1861.

SIR: Every instruction which this government has given to its representatives abroad, since the recent change of administration took place, has expressed our profound anxiety lest the disloyal citizens who are engaged in an attempt to overthrow the Union should obtain aid and assistance from foreign nations, either in the form of a recognition of their pretended sovereignty, or in some other and more qualified or guarded manner. Every instruction has expressed our full belief that, without such aid or assistance, the insurrection would speedily come to an end, while any advantage that it could derive from such aid or assistance could serve no other purpose than to protract the existing struggle and aggravate the evils it is inflicting on our own country and on foreign and friendly nations. Every instruction bears evidence of an earnest solicitude to avoid even an appearance of menace or of want of comity towards foreign powers; but at the same time it has emphatically announced, as is now seen to have been necessary, our purpose not to allow any one of them to expect to remain in friendship with us if it should, with whatever motive, practically render such aid or assistance to the insurgents. We have intended not to leave it doubtful that a concession of sovereignty to the insurgents, though it should be indirect or unofficial, or though it should be qualified so as to concede only belligerent or other partial rights, would be regarded as inconsistent with the relations due to us by friendly nations. Nor has it been left at all uncertain that we shall, in every event, insist that these United States must be considered and dealt with now, as heretofore, by such nations as exclusively sovereign for all purposes whatsoever within the territories over which the Constitution has been extended. On the other hand we have not, at any time, been unmindful of the peculiar circumstances which might excite apprehensions on the part of commercial nations for the safety of their subjects and their property in the conflicts which might occur upon sea as well as on land between the forces of the United States and those of the insurgents.

The United States have never disclaimed the employment of letters of marque as a means of maritime war. The insurgents early announced their intention to commission privateers. We knew that friendly nations would be anxious for guarantees of safety from injury by that form of depredation upon the national commerce. We knew also that such nations would desire to be informed whether their flags should be regarded as protecting goods, not contraband of war, of disloyal citizens, found under them, and whether the goods, not contraband, of subjects of such nations would be safe from confiscation when found in vessels of disloyal citizens of the United States. This administration, free from some of the complications of those which had preceded it, promptly took up the negotiations relating to the declaration of the congress of Paris, just at the point where they had been suspended by President Buchanan. We found it just and humane in itself so far as it goes, and that it had only failed to be accepted by the United States because foreign nations had refused to accept an additional principle proposed by this government, yet more just and humane than any which it does contain, namely, that the property of private citizens, not contraband, should be exempted from confiscation in maritime war. While still willing and desirous to have that further principle incorporated in the law of nations, we nevertheless instructed you, and all our representatives in foreign countries, to waive it, if necessary, and to stipulate, subject to the concurrence of the Senate of the United States, our adhesion to the declaration of the congress of Paris as a whole and unmodified. This was done so early as the 25th day of April last, long before the date of the instructions which Mr. Mercier proposed to submit to us. We have ever since that time been waiting for the responses of foreign powers to this high and liberal demonstration on our part. We have, however, received no decisive answers on the subject from those powers.

It was under these circumstances that on the fifteenth day of June instant, the minister from France and the minister from Great Britain, having previously requested an interview, were received by me. Each of them announced that he was charged by his government to read a despatch to me and to give me a copy if I should desire it.

I answered that, owing to the peculiar circumstances of the times, I could not consent to an official reading or delivery of these papers without first knowing their characters and objects. They confidentially and with entire frankness put the despatches into my hands for an informal preliminary examination. Having thus become possessed of their characters, I replied to those ministers that I could not allow them to be officially communicated to this government. They will doubtless mention this answer to their respective states.

I give you now the reasons of this government for pursuing this course in regard to the despatch from France, that you may communicate them to the French government, if you shall find it necessary or expedient.

Some time ago we learned through our legation at St. Petersburg that an understanding had been effected between the governments of Great Britain and France that they should take one and the same course on the subject of the political disturbances in this country, including the possible recognition of the insurgents. At a later period this understanding was distinctly avowed by Mr. Thouvenel to Mr. Sanford, who had been informally introduced by me to the French minister for foreign affairs, and by Lord John Russell to Mr. Dallas, our late minister in London. The avowal in each case preceded the arrival of our newly appointed ministers in Europe, with their instructions for the discharge of their respective missions.

On receiving their avowals I immediately instructed yourself and Mr. Adams "that although we might have expected a different course on the part of these two great powers, yet, as the fact that an understanding existed between them did not certainly imply an unfriendly spirit, we should not complain of it, but that it must be understood by the French and British governments that we shall deal hereafter, as heretofore, in this case, as in all others, with each power separately, and that the agreement for concerted action between them would not at all influence the course we should pursue." The concert thus avowed has been carried out. The ministers came to me together; the instructions they proposed to me differ in form, but are counterparts in effect.

Adhering to our previous decision, which before this time has doubtless been made known to the government of France, we do not make this concert, under the circumstances, a reason for declining to hear the instruction with which Mr. Mercier is charged.

That paper does not expressly deny the sovereignty of the United States of America, but it does assume, inconsistently with that sovereignty, that the United States are not altogether and for all purposes one sovereign power, but that this nation consists of two parties, of which this government is one. France proposes to take cognizance of both parties as belligeents, and for some purposes to hold communication with each. The instruction would advise us indeed that we must not be surprised if France shall address herself to a government which she says is to be installed at

Montgomery, for certain explanations. This intimation is conclusive in determining this government not to allow the instruction to be read to it.

The United States rightly jealous, as we think, of their sovereignty, cannot suffer themselves to debate any abridgement of that sovereignty with France or with any other nation. Much less can it consent that France shall announce to it a conclusion of her own against that sovereignty, which conclusion France has adopted without any previous conference with the United States on the subject. This government insists that the United States are one whole undivided nation, especially so far as foreign nations are concerned, and that France is, by the law of nations and by treaties, not a neutral power between two imaginary parties here, but a friend of the United States.

In the spirit of this understanding of the case, we are not only not wishing to seek or to give offence to France, but, on the contrary, we desire to preserve peace and friendship with that great power, as with all other nations. We do not feel at liberty to think, and do not think, that France intended any want of consideration towards the United States in directing that the instruction in question should be read to us. Outside of that paper we have abundant evidence of the good feeling and good wishes of the Emperor, and even his anxious solicitude for the same consummation which is the supreme object of our own desires and labors, namely, the preservation of the American Union in its full and absolute integrity.

Doubtless the proceeding has been the result of inadvertence. We feel ourselves at liberty to think that it would not have occurred if we had been so fortunate as to have been heard through you in the consultations of the French government. We think we can easily see how the inadvertence has occurred. France seems to have mistaken a mere casual and ephemeral insurrection here, such as is incidental in the experience of all nations, because all nations are merely human societies, such as have sometimes happened in the history of France herself, for a war which has flagrantly separated this nation into two co-existing political powers which are contending in arms against each other after the separation.

It is erroneous, so far as foreign nations are concerned, to suppose that any war exists in the United States. Certainly there cannot be two belligerent powers where there is no war. There is here, as there has always been, one political power, namely, the United States of America, competent to make war and peace, and conduct commerce and alliances with all foreign nations. There is none other, either in fact, or recognized by foreign nations. There is, indeed, an armed sedition seeking to overthrow the government, and the government is employing military and naval forces to repress it. But these facts do not constitute a war presenting two belligerent powers, and modifying the national character, rights, and responsibilities, or the characters, rights, and responsibilities of foreign nations. It is true that insurrection may ripen into revolution, and that revolution thus ripened may extinguish a previously existing State, or divide it into one or more independent States, and that if such States continue their strife after such division, then there exists a state of war affecting the characters, rights, and duties of all parties concerned. But this only happens when the revolution has run its successful course.

The French government says, in the instruction which has been tendered to us, that certain facts which it assumes confer upon the insurgents of this country, in the eyes of foreign powers, all the appearances of a government *de facto*, wherefore, whatever may be its regrets, the French government must consider the two contending parties as employing the forces at their disposal in conformity with the laws of war.

This statement assumes not only that the law of nations entitles any insurrectionary faction, when it establishes a *de facto* government, to be treated as a belligerent, but also that the fact of the attainment of this status is to be determined by the appearance of it in the eyes of foreign nations. If we should concede both of these positions, we should still insist that the existence of a *de facto* government, entitled to belligerent rights, is not established in the present case. We have already heard from most of the foreign nations. There are only two which seem so to construe appearances, and France is one of them. Are the judgments of these two to outweigh those of all other nations? Doubtless each nation may judge and act for itself, but it certainly cannot expect the United States to accept its decision upon a question vital to their national existence. The United States will not refine upon the question when and how new nations are born out of existing nations. They are well aware that the rights of the States involve their duties and their destinies, and they hold those rights to be absolute as against all foreign nations. These rights do not at all depend on the appearances which their condition may assume in the eyes of foreign nations, whether strangers, neutrals, friends, or even allies. The United States will maintain and defend their sovereignty throughout the bounds of the republic, and they deem all other nations bound to respect that sovereignty until, if ever, Providence shall consent that it shall be successfully overthrown. Any system of public law or national morality that conflicts with this would resolve society, first in this hemisphere and then in the other, into anarchy and chaos.

This government is sensible of the importance of the step it takes in declining to hear the communication the tender of which has drawn out these explanations. It believes, however, that it need not disturb the good relations which have so long and so happily subsisted between the United States and France.

The paper, as understood, while implying a disposition on the part of France to accord belligerent rights to the insurgents, does not name, specify, or even indicate one such belligerent right. On the other hand, the rights which it asserts that France expects, as a neutral, from the United States, as a belligerent, are even less than this government, on the 25th of April, instructed you to concede and guaranty to her by treaty, as a friend. On that day we offered to her our adhesion to the declaration of Paris, which contains four propositions, namely: 1st. That privateering shall be abolished. 2d. That a neutral flag covers enemy's goods not contraband of war. 3d. That goods of a neutral, not contraband, shall not be confiscated though found in an enemy's vessel. 4th. That blockades, in order to be lawful, must be maintained by competent force. We have always, when at war, conceded the three last of these rights to neutrals, *a fortiori*, we could not when at peace deny them to friendly nations. The first-named concession was proposed on the grounds already mentioned. We are still ready to guarantee these rights, by convention with France, whenever she shall authorize either you or her minister here to enter into convention. There is no reservation or difficulty about their application in the present case. We hold all the citizens of the United States, loyal or disloyal, alike included by the law of nations and treaties; and we hold ourselves bound by the same obligations to see, so far as may be in our power, that all our citizens, whether maintaining this government or engaged in overthrowing it, respect those rights in favor of France and of every other friendly nation. In any case, not only shall we allow no privateer or national vessel to violate the rights of friendly nations as I have thus described them, but we shall also employ all our naval force to prevent the insurgents from violating them just as much as we do to prevent them from violating the laws of our own country.

What, then, does France claim of us that we do not accord to her? Nothing. What do we refuse to France by declining to receive the communication sent to us through the hands of Mr. Mercier? Nothing but the privilege of telling us that we are at war, when we maintain we are at peace, and that she is a neutral, when we prefer to recognize her as a friend.

Of course, it is understood that on this occasion we reserve, as on all others, our right to suppress the insurrection by naval as well as by military power, and for that purpose to close such of our ports as have fallen or may fall into the hands of the insurgents, either directly or in the more lenient and equitable form of a blockade, which for the present we have adopted. It is thus seen that there is no practical subject of difference between the two governments. The United States will hope that France will not think it necessary to adhere to and practice upon the speculation concerning the condition of our internal affairs which she has proposed to communicate to us. But however this may be, the United States will not anticipate any occasion for a change of the relations which, with scarcely any interruption, have existed between the two nations for three-quarters of a century, and have been very instrumental in promoting, not merely the prosperity and greatness of each State, but the cause of civil and religious liberty and free institutions throughout the world.

This government understands equally the interest of friendly nations and its own in the present emergency. If they shall not interfere, the attempt at revolution here will cease without inflicting serious evils upon foreign nations. All that they can do by any interference, with a view to modify our action, will only serve to prolong the present unpleasant condition of things, and possibly to produce results that would be as universally calamitous as they would be irretrievable.

The case, as it now stands, is the simple, ordinary one that has happened at all times and in all countries. A discontented domestic faction seeks foreign intervention to overthrow the Constitution and the liberties of its own country. Such intervention, if yielded, is ultimately disastrous to the cause it is designed to aid. Every uncorrupted nation, in its deliberate moments, prefers its own integrity, even with unbearable evils, to division through the power or influence of any foreign State. This is so in France. It is not less so in this country. Down deep in the heart of the American people—deeper than the love of trade, or of freedom—deeper than the attachment to any local or sectional interest, or partizan pride or individual ambition—deeper than any other sentiment—is that one out of which the Constitution of this Union arose, namely, American independence—independence of all foreign control, alliance, or influence. Next above it lies the conviction that neither peace, nor safety, nor public liberty, nor prosperity, nor greatness, nor empire, can be attained here with the sacrifice of the unity of the people of North America. Those who, in a frenzy of passion, are building expectations on other principles do not know what they are doing. Whenever one part of this Union shall be found assuming bonds of dependence or of fraternity towards any foreign people, to the exclusion of the sympathies of their native land, then, even if not before, that spirit will be reawakened which brought the States of this republic into existence, and which will preserve them united until the common destiny which it opened to them shall be fully and completely realized.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

[Extracts.]

No. 22.]

Department of State,
Washington, June 22, 1861.

Sir:

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Your answer to offers of service and of *materiel* of war seems to have been judicious. If the War Department should find need for the latter, it will commission proper agents. As for the former, the offers for military service, and by our own citizens, surpass equally our calls and our needs. Colonel Frémont's purchases are thankfully approved, and the drafts of yourself and Mr. Adams, mentioned by you, will be accepted. The President expresses great satisfaction with the promptness and decision manifested by you in the matter.

We wish to act singly and in good faith with the French government. We understand, and shall continue to understand, that France does not concede belligerent rights to the insurgents in contravention of our sovereignty. We shall insist that she does nothing adverse to our position, whatever may be *said* to the contrary.

She has proposed to tell us that she thinks the confederate States are entitled to belligerent rights. We have declined to hear that. We have not heard it. We shall continue to regard France as respecting our government, throughout the whole country, until she *practically acts in violation of her friendly obligations* to us, as we understand them. When she does *that*, it will be time enough to inquire whether, if we accede to the treaty of Paris, she could, after that, allow pirates upon our commerce shelter in her ports; and what our remedy then should be. We have no fear on this head.

We are dealing now as a nation at peace with France as a friend. We have told her that we shall not consent to her change of this relation.

She knows, distinctly, if she accepts our adhesion to the declaration of the congress of Paris, the ground on which it is given by us.

While saying this, however, we also confess that our solicitude on the subject is not so intense now, since the responsibility for the next step remains with France and not with us.

Still we wish you to act directly and frankly, being always ready to perform all we have offered.

This despatch is strictly confidential.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Mr. Dayton to Mr. Seward.

[Extracts.]

Paris, *June* 22, 1861.

Sir: I have the honor to enclose to you a copy of the reply of Mr. Thouvenel to my proposition, on the part of the United States, to open negotiations for its accession to the treaty of Paris of 1856, according to the terms therein stated.

In our first conversation upon this subject, I understood from Mr. Thouvenel that on a written proposition from me for negotiation he would address the other powers (parties to the treaty) upon the subject. That a note from me would afford him a starting point for communicating with such powers. Upon further reflection, or upon conference with his associates in the government, he now writes that it will be necessary that I address myself jointly (if I understood him rightly) to all the powers associated in that treaty, before my proposition can be considered.

Our condition as respects privateering and the belligerent rights conceded to the south has been so changed by the action of Great Britain, France and Spain, subsequent to the first declaration of Lord John Russelll, (stating that such belligerent rights would be conceded,) that I know not what may be the views of the government of the United States at this time as respects an accession to the treaty of 1856, pure and simple. But as I have learned that nothing substantially has been done in that direction at other points, and I do not see that the interests of the country will be jeoparded by a little delay, I shall await further instructions upon this subject. My first despatch referring to this matter was dated 22d of May last, and I doubt not I shall now receive an answer at an early day. If the government of the United States shall, in view of the circumstances, direct me to make the proposition to the French government to accede to the Paris treaty, pure and simple, I will, acting under such express direction, lose no time in making the proposition. * * * * * *

With high consideration, I am yours, very truly,

WM. L. DAYTON.

Hon. William H. Seward,
Secretary of State.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 14.] Paris, *June* 28, 1861.

Sir: Your despatches (Nos. 13 and 14) are duly received. The copy of your letter to Lord Lyons, recognizing the rights of neutrals to property taken in vessels of the insurgents, will be communicated on the first opportunity to Mr. Thouvenel. This will relieve any doubts the French government may have had heretofore on this subject.

* * * The Emperor and most of the ministers being in the country, and the legislative chambers about to adjourn, there is little probability of anything of interest occurring here at an early day, unless something shall occur in America which shall give rise to it.

With much respect, I am yours, very truly,

WM. L. DAYTON

Hon. Wm. H. Seward,
Secretary of State.

Mr. Seward to Mr. Dayton.

[Extracts.]

No. 26.]

DEPARTMENT OF STATE,
Washington, July 6, 1861.

SIR: Your despatch No. 11, dated on the —— day of June ultimo, has been received.

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* * * * * *

The President is highly gratified by the disposition which Mr. Thouvenel has made of the application of the agents of the insurrectionists for recognition of their pretended revolution. What you have reported to us in this respect is happily confirmed in even more emphatic language by the communication which Mr. Mercier has made to us to-day under instructions from his government.

We are pleased that you called Mr. Thouvenel's attention to the mischievous paragraph in the *Moniteur*, because it has drawn out renewed and most satisfactory assurances of the friendly feelings and good wishes of the government of France. At the same time, it is but just to ourselves that you shall now inform Mr. Thouvenel that it is our settled habit never to overhear what the press, or the ministers, or even the monarch of a foreign country with which we are in amity, says concerning us, and never to ask any explanations so long as such observations are not directly communicated by the government itself to us, and it, at the same time, discharges all its customary functions without hostility or injury to us. Our reasons for this are that we know, first, there are state necessities which do not always permit, in any country, the practice of entire frankness concerning foreign questions; secondly, that unguarded and inconsiderate expressions, even by persons in high authority, ought not to disturb established and harmonious relations between friendly nations; and, thirdly, that we know that the maintenance of our rights and character depend, as they ought, chiefly on our own fidelity to ourselves, and very little on the favorable opinion of even the most candid and liberal nations. Friendship towards, and confidence in, the good will of France towards us are settled habits of mind on the part of the American people. If anything is hastily written or spoken on either side that would seem to indicate a different sentiment, it is wise to let it pass without sensibility, and certainly without querulous animadversion.

Mr. Burlingame will, before this time, have been advised of his appointment as minister to China. His delay at Paris is approved in consideration of the peculiar circumstances of the case.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 27.]

DEPARTMENT OF STATE,
Washington, July 6, 1861.

SIR: Your despatch No 12 (dated June 22) has been received. It relates to our proposition for accession to the declaration of Paris. This affair has become very much complicated, by reason of the irregular and extraordinary proceeding of the French government in proposing to take notice of the domestic disturbance which has occurred in this country. I do not know that even now I can clear the matter up effectually without knowing what may be the result of the communication which, in my despatch No. 19, I instructed you to make to the French government. I will try, nevertheless, to do so. The instructions contained in my despatch No. 4, dated 24th of April last, required you to tender to the French government, without delay, our adhesion to the declaration of the congress of Paris, pure and simple.

The reason why we wished it done immediately was, that we supposed the French government would naturally feel a deep anxiety about the safety of their commerce, threatened distinctly with privateering by the insurgents, while at the same time, as this government had heretofore persistently declined to relinquish the right of issuing letters of marque, it would be apprehended by France that we too should take up that form of maritime warfare in the present domestic controversy. We apprehended that the danger of such a case of depredation upon commerce equally by the government itself, and by its enemies, would operate as a provocation to France and other commercial nations to recognize the insurrectionary party in violation of our national rights and sovereignty. On the contrary, we did not desire to depredate on friendly commerce ourselves, and we thought it our duty to prevent such depredations by the insurgents by executing our own laws, which make privateering by disloyal citizens piracy, and punish its pursuit as such. We thought it wise, just, and prudent to give, unasked, guarantees to France and other friendly nations for the security of their commerce from exposure to such depredations on either side, at the very moment when we were delivering to them our protest against the recognition of the insurgents. The accession to the declaration of Paris would be the form in which these guarantees could be given—that for obvious reasons must be more unobjectionable to France and to other commercial nations than any other. It was safe on our part, because we tendered it, of course, as the act of this federal government, to be obligatory equally upon disloyal as upon loyal citizens.

The instructions waived the Marcy amendment, (which proposed to exempt private property from confiscation in maritime war,) and required you to propose our accession to the declaration of the congress of Paris, pure and simple. These were the reasons for this course, namely: First. It was as well understood by this government then, as it is now by yourself, that an article of that celebrated declaration prohibits every one of the parties to it from negotiating upon the subject of neutral rights in maritime warfare with any nation not a party to it, except for the adhesion of such outstanding party to the declaration of the congress of Paris, pure and simple. An attempt to obtain an acceptance of Mr. Marcy's amendment would require a negotiation not merely with France alone, but with all the other original parties of the congress of Paris, and every government that has since acceded to the declaration. Nay, more: we must obtain their unanimous consent to the amendment before being able to commit ourselves or to engage any other nation, however well disposed, to commit itself to us on the propositions actually contained in the declaration. On the other hand, each nation which is a party to the declaration of Paris is at liberty to stipulate singly with us for acceptance of that declaration for the government of our neutral relations. If, therefore, we should waive the Marcy proposition, or leave it for ultimate consideration, we could establish a complete agreement between ourselves and France on a subject which, if it should be left open, might produce consequences very much to be deprecated. It is almost unnecessary to say that what we proposed to France was equally and simultaneously proposed to every other maritime power. In this way we expected to remove every cause that any foreign power could have for the recognition of the insurgents as a belligerent power.

The matter stood in this plain and intelligible way until certain declarations or expressions of the French government induced you to believe that they would recognize and treat the insurgents as a distinct national power for belligerent purposes. It was not altogether unreasonable that you, being at Paris, should suppose that this government would think itself obliged to acquiesce in such a course by the government of France. So assuming, you thought that we would not adhere to our proposition to accede to the declaration, pure and simple, since such a course would, as you thought, be effective to bind this government without binding the insurgents, and would leave France at liberty to hold us bound, and the insurgents free from the obligations created by our adhesion. Moreover, if we correctly understand your despatch on that subject, you supposed that you might propose our adhesion to the treaty of Paris, not pure and simple, but with the addition of the Marcy proposition in the first instance, and might afterwards, in case of its being declined in that form, withdraw the addition, and then propose our accession to the declaration of Paris, pure and simple.

While you were acting on these views on your side of the Atlantic, we on this side, not less confident in our strength than in our rights, as you are now aware, were acting on another view, which is altogether different, namely, that we shall not acquiesce in any declaration of the government of France that assumes that this government is not now, as it always has been, exclusive sovereign, for war as well as for peace, within the States and Territories of the federal Union, and over all citizens, the disloyal and loyal all alike. We treat in that character, which is our legal character, or we do not treat at all, and we in no way consent to compromise that character in the least degree; we do not even suffer this character to become the subject of discussion. Good faith and honor, as well as the same expediency which prompted the proffer of our accession to the declaration of Paris, pure and simple, in the first instance, now require us to adhere to that proposition and abide by it; and we do adhere to it, not, however, as a divided, but as an undivided nation. The proposition is tendered to France not as a neutral but as a friend, and the agreement is to be obligatory upon the United States and France and all their legal dependencies just alike.

The case was peculiar, and in the aspect in which it presented itself to you portentous. We were content that you might risk the experiment, so, however, that you should not bring any responsibility for delay upon this government. But you now see that by incorporating the Marcy amendment in your proposition, you have encountered the very difficulty which was at first foreseen by us. The following nations are parties to the declaration of Paris, namely: Baden, Bavaria, Belgium, Bremen, Brazils, Duchy of Brunswick, Chili, the Argentine Confederation, the Germanic Confederation, Denmark, the two Sicilies, the Republic of the Equator, the Roman States, Greece, Guatemala, Hayti, Hamburgh, Hanover, the two Hesses, Lubeck, Mecklenburgh Strelitz, Mecklenburgh Schwerin, Nassau, Oldenburgh, Parma, Holland, Peru, Portugal, Saxony, Saxe Altenburgh, Saxe Coburg Gotha, Saxe Meiningen, Saxe Weimar, Sweden, Switzerland, Tuscany, Wurtemburg, Anhault Dessau, Modena, New Granada, and Uruguay.

The great exigency in our affairs will have passed away—for preservation or destruction of the American Union—before we could bring all these nations to unanimity on the subject, as you have submitted it to Mr. Thouvenel. It is a time not for propagandism, but for energetic acting to arrest the worst of all national calamities. We therefore expect you now to renew the proposition in the form originally prescribed. But in doing this you will neither unnecessarily raise a question about the character in which this government acts, (being exclusive sovereign,) nor, on the other hand, in any way compromise that character in any degree. Whenever such a question occurs to hinder you, let it come up from the other party in the negotiation. It will be time then to stop and wait for such further instructions as the new exigency may require.

One word more. You will, in any case, avow our preference for the proposition with the Marcy amendment incorporated, and will assure the government of France that whenever there shall be any hope for the adoption of that beneficent feature by the necessary parties, as a principle of the law of nations, we shall be ready not only to agree to it, but even to propose it, and to lead in the necessary negotiations.

This paper is, in one view, a conversation merely between yourself and us. It is not to be made public. On the other hand, we confide in your discretion to make such explanations as will relieve yourself of embarrassments, and this government of any suspicion of inconsistency or indirection in its intercourse with the enlightened and friendly government of France.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

[Extract.]

No. 15.] PARIS, *July* 5, 1861.

SIR: * * * * * * *

Since writing the above I have received your despatches, Nos. 12, 19, and 20. I infer, from the contents of No. 19, that Mr. Mercier is aware of your original instructions to me on the subject of an accession to the treaty of Paris of 1856, and that you hold yourself open to negotiate with him there on that subject. As Mr. Adams has referred this question back to be treated of at Washington, and it is evident, I think, that Great Britain and France will act upon advisement at least with each other, it seems to me that it will be more convenient, in every respect, that you should take charge of the whole question at Washington, rather than have it dealt with by different persons, at the same time, each ignorant to a great extent of the action of the other. Besides, it is due to frankness to say that, if a convention is to be negotiated for an accession by the United States to the treaty of Paris, without amendment to the first clause, I would prefer it should be done at Washington rather than Paris. Still, I hold myself subject to the orders of the government in this as in other matters. I have already said I should await further instructions from your department on this subject.

With much respect, I have the honor to be, truly yours,

WILLIAM L DAYTON.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 21.] Paris, *July* 22, 1861.

Sir: Your despatches, Nos. 24 and 25, are duly received. Despatches 19, 22, and 24, treat in whole or in part of the same general matter.

I have read despatch No. 19 with great interest. It had not occurred to me that you might deny to France and Great Britain an official reading of their despatches which announced to our government their concession of belligerent rights to the south; or that, if you should do so, it would alter the relations of parties to the question. If it has that effect diplomatically, or relieves you from noticing their position, you were certainly right. Indeed, I cannot see how, upon the ground that you put the matter, France has just cause of offence. You say merely you want no notice of a *purpose* by her to do what you consider an unfriendly act; that you will wait until the act is done before you choose to notice it; that, in other words, you choose to consider her as a friend until she shows herself by acts, not words, to be the contrary. * * * * * *

The reasons assigned for your course you say I may communicate to the French government if I "shall find it necessary or expedient." I shall not fail to avail myself of this authority upon the earliest opportunity which shall be afforded for doing so. The just reasoning and friendly tone of your despatch will be invaluable for justification of your course and the prevention of difficulties. Unless, however, they refer to your action or make it a subject of complaint, it is, I suppose, not expedient for me to volunteer explanations. I was much surprised by one fact found in the despatch from the French government left with you for an informal reading, to wit: that you must not be surprised if France should address herself to a government which she says is to be installed at Montgomery for certain explanations. I could not have anticipated, from what had been said to me here, that such a course was in contemplation. Should they adopt it, the act would seem to me to approximate a recognition in this instance of the southern government more nearly than anything that has yet occurred. In that event, your future course will, no doubt, be guided by that wisdom which is so essential to carry us through the troubles of our present position. * * *

With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

Hon. Wm. H. Seward,
Secretary of State.

Mr. Seward to Mr. Dayton.

[Extract.]

No. 30.] Department of State,
Washington, July 26, 1861.

Sir: * * * * * * * *

The President is not impatient about the negotiations concerning neutral rights. We trust that we have kept our own position right and clear.

You will probably find some anxiety on the part of the French government concerning a law which has passed Congress authorizing the President to close the ports held by the insurgents. I send you a copy of my instructions to Mr. Adams on that subject, which you will receive for your own government in that matter.

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I am, &c.,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

[Extract.]

No. 31.]

Department of State,
Washington, July 30, 1861.

Sir: * * * * * * * *

You will receive the account of a deplorable reverse of our arms at Manassas. For a week or two that event will elate the friends of the insurgents in Europe as it confounded and bewildered the friends of the Union here for two or three days. The shock, however, has passed away, producing no other results than a resolution stronger and deeper than ever to maintain the Union, and a prompt and effective augmentation of the forces for that end exceeding what would otherwise have been possible. The heart of the country is sound. Its temper is now more favorable to the counsels of deliberation and wisdom.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 22.]

Paris, *July* 30, 1861.

Sir: On the 21st of this month I received a note from Mr. Adams, a copy of which, marked A, is hereunto annexed, apprising me that, under renewed instructions from the government at Washington, he had proposed to the British government, on the 11th of this month, to negotiate on the basis of the project which had been transmitted to him soon after his arrival at London, touching the four points of the declaration of the convention at Paris in 1856, and inquiring whether I felt empowered and disposed to remove the obstacle of delay by entering at once into an arrangement for simultaneous action with the Emperor of the French. Accompanying his note was the copy of a communication from Lord John Russell, dated July 18, 1861, of which I send a copy, (though I doubt not Mr. Adams has anticipated me in doing so.) Feeling the great importance of this matter, and mindful of your request that we should confer together when we could, I immediately went over to London.

I found, by the date of your renewed instructions to Mr. Adams, that you did not intend the negotiation upon this question should be conducted at Washington, but that it should be done on this side; and further, that with a full knowledge of all the facts, the original purpose of acceding to the treaty of Paris of 1856 was adhered to. Under these circumstances, I felt it my duty to say to Mr. Adams that there need be no delay on my account.

To facilitate matters, while I was yet in London I made to him, in writing, a communication to that effect, of which I send you a copy, marked B.

You will observe that I ask Mr. Adams, in this communication, whether Great Britain has, at his instance, or otherwise, considered the Marcy amendment? This was done after conference with him, and after he had told me what would be his answer. He said that after I had made the proposition here it was considered at London, and Lord John Russell, upon his (Mr. Adams) suggesting this amendment to the treaty there, said at once that the principle was inadmissible; that the British government would not assent to it. This answer I thought it most desirable we should have on record, and therefore made a suggestion in my note which Mr. Adams said he would adopt. Great Britain, so far as I know, never has, before this, distinctly placed herself on record against the adoption of that humane and noble principle as a provision of maritime law.

I was much gratified that I had gone over to London. I felt a sense of relief in conferring with Mr. Adams upon questions of so much importance, and got knowledge of some facts of which I had no knowledge before. I was in England but two days, and then returned immediately to Paris. I missed, however, the mail by the steamer of last week, which I much regretted.

With much respect, your obedient servant,

WM. L. DAYTON.

His Excellency Wm. H. Seward.

Foreign Office, *July* 18, 1861.

Sir: Upon considering your proposition of Saturday last I have two remarks to make:

1. The course hitherto followed has been a simple notification of adherence to the declaration of Paris by those states which were not originally parties to it.

2. The declaration of Paris was one embracing various powers, with a view to general concurrence upon questions of maritime law, and not an insulated engagement between two powers only.

Her Majesty's government are willing to waive entirely any objection on the first of these heads, and to accept the form which the government of the United States prefers.

With regard to the second, her Majesty's government are of opinion that they should be assured that the United States are ready to enter into a similar engagement with France, and with other maritime powers, who are parties to the declaration of Paris, and do not propose to make singly and separately a convention with Great Britain only.

But as much time might be required for separate communications between the government of the United States and all the maritime powers who were parties to or have acceded to the declaration of Paris, her Majesty's government would deem themselves authorized to advise the Queen to conclude a convention on this subject with the President of the United States so soon as they shall have been informed that a similar convention has been agreed upon, and is ready for signature, between the President of the United States and the Emperor of the French, so that the two conventions might be signed simultaneously and on the same day.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. RUSSELL.

Charles Francis Adams, Esq., *&c.*, *&c.*, *&c.*

B.

LONDON, *July* 25, 1861.

SIR: Yours of the 19th instant, enclosing a copy of Lord John Russell's of the 18th instant, was duly received by me at Paris. My powers to negotiate with France an accession by the United States to the treaty of Paris of 1856 are of the same general character as your own. Under those powers and the instructions received by me from Washington I did propose such accession to the government of France, but with an addition to the first clause of the following words: "And the private property of subjects or citizens of one of the belligerents shall not be seized, upon the high seas, by the vessels of war of the other belligerents, unless it may be contraband of war." To this proposition I received an answer from the French minister of foreign affairs, dated June 20, 1861, the substance of which was that the French government declined to consider the proposition (inasmuch as it differed from the provisions of the treaty of Paris) unless it was addressed to all the powers who were parties to that convention. In the meantime I saw it stated in the public press of Europe that the British, French, Spanish, and Belgian governments had made a declaration of their intentions as respects their conduct towards the United States government and the insurgents of the south, and I was not certain whether our government would desire, under the circumstances, that the proposition to accede to the treaty in question, without the amendment, should be made.

Your renewed instructions to proceed on the basis of that treaty are subsequent to and with a full knowledge by our government of the facts hereinbefore stated.

Under these circumstances, therefore, I feel authorized and required to proceed without further delay. Before, however, I shall communicate further with the French government, I wish to know whether Great Britain has, at your instance, or otherwise, considered the amendment of the treaty hereinbefore referred to. Before abandoning the hope of obtaining the incorporation, in our code of maritime law, of that great and humane principle, it seems to me desirable that we should have distinct assurance that the principle will not be admitted. I do not recollect that Great Britain has any time, heretofore, answered distinctly, if at all, upon that proposition, but seems rather to have avoided it. I think it desirable that that answer should be of record, (either in a note from or to you,) so that the responsibility may attach, through all time, where it properly belongs.

Immediately upon the receipt of your answer I will enclose a copy of your notes, in connexion with that from Lord John Russell to the French government, and, as soon as heard from, advise you of its reply.

Respectfully, your obedient servant,

WM. L. DAYTON.

His Excellency CHAS. F. ADAMS.

Mr. Dayton to Mr. Seward.

[Extract.]

No. 24.] PARIS, *August* 2, 1861.

SIR: Your despatch No. 27 was not received by me until after my return from London.

By my note to Mr. Adams, written in London, and to be found in despatch No. 22, you will find your instructions were anticipated by my action; that immediately upon learning, from a reliable source, what were the views of the government in regard to an accession to the treaty of Paris, expressed with full knowledge of facts occurring since its original instructions to me, I at once took measures to comply with them, without attempting to balance the suggestions of my own mind against its known wishes. But I confess that in a matter of such grave importance as an accession by the United States to that treaty, I did want those wishes distinctly expressed with full knowledge of the facts. You will observe, by the copy of a communication to the minister of foreign affairs, (marked A,) and hereunto annexed, that I have already moved in the matter here.

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With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

Hon. William H. Seward,
Secretary of State.

A.

Paris, *August* 2, 1861.

Sir: I had the honor to inform your excellency some time since that I was authorized, upon the part of the United States, to treat with any person or persons authorized by the Emperor concerning the principles of maritime law which affect neutral and belligerent rights at sea, and other matters connected therewith, of interest to the two nations, and on the 31st of May last proposed to your excellency an accession by the United States to the treaty of Paris of 1856, with certain words of addition thereto.

Under date of 26th of June last I received a reply from your excellency stating that the protocols of the congress of Paris impose upon all the powers who signed the declaration of the 16th of April the obligation not to negotiate, separately, upon the application of maritime rights in time of war, any arrangement which differed from the declaration resolved upon in common, and that, as a consequence, it would be necessary that my offer include the other powers signing the declaration before it would be considered.

At the time the foregoing offer was made I had some reason to believe that it might be accepted by all the powers who negotiated that treaty, but subsequent information (the nature of which I have explained to you) has satisfied me that this was an error.

The government of the United States would have preferred the incorporation in the treaty of the amendment before referred to; and when there shall be any hope for the adoption of that beneficent feature by the necessary parties as a principle of the law of nations, the United States will not only be ready to agree to it, but even to propose it, and to lead in the necessary negotiations.

Under existing circumstances I am satisfied that I would not be justified in further delaying negotiations for an accession by the United States to the treaty of Paris of 1856, in the vain hope that the amendment in question, if proposed to all the powers, would, at present, be accepted. I have the honor, therefore, to apprise your excellency that I am prepared, on the part of the government of the United States, and hereby propose to your excellency, to enter into a convention with the Emperor of the French for accession by the United States to the "declaration concerning maritime law" adopted by the plenipotentiaries of France, Great Britain, Austria, Prussia, Russia, Sardinia, and Turkey, at Paris, on the 16th of April, 1856, and that I have special authority for this purpose from the President of the United States, dated 26th of April last, which I shall be happy to submit to your excellency. I beg likewise, in this connexion, to say to your excellency that a like proposition has been made by Mr. Adams to her Britannic Majesty, and herewith I deem it proper to enclose you a copy of the reply of Lord John Russell.

With much respect, I have the honor to be your very obedient servant,

WM. L. DAYTON.

MONSIEUR LE MINISTRE.

Mr. Seward to Mr. Dayton.

[Confidential.]

No. 41.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: I send you a copy of a despatch, which is this day sent to Mr. Adams, concerning the negotiations with Great Britain for the melioration of international law relating to the rights of neutrals in maritime war.

You will, of course, wait in your negotiations, at Paris, until the result of the explanations, which Mr. Adams is instructed to ask, shall have been received and duly considered. There is reason, however, to expect that the delay which thus becomes necessary will be moved for by Mr. Thouvenel himself when he shall have become advised of the new and singular position assumed by Lord John Russell.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

[Extract]

No. 42.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: * * * * * * * *

You will learn from a distinct despatch, No. 41, which accompanies or which will soon follow this, that our negotiation in England has taken a new phase, which, of course, will soon present itself in discussion with the French government.

Treason was emboldened by its partial success at Manassas, but the Union now grows manifestly stronger every day. Let us see how Great Britain will explain.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 46.]

Department of State,
Washington, August 19, 1861.

Sir: Your despatch No. 22, under the date of July 30, has been received. It relates to an interview, and is accompanied by a correspondence between yourself and Mr. Adams.

Your proceedings and your letter are deemed judicious, and are fully approved.

In communications which have preceded this I have already said all that the despatch now before me seems to require.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

[Extracts.]

No. 29.]

Paris, *August* 19, 1861.

Sir: I have the honor to acknowledge the receipt of despatches Nos. 29, 30, and 31.

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Your despatch No. 30 includes copies of despatches 42 and 46 to Mr. Adams. These are of great interest, as they affect the question of our blockade of the southern ports. I never think it wise to volunteer a subject out of which complaints may arise before they are brought to my notice by the party likely to complain; but should occasion arise, I shall avail myself fully of the views suggested by you as to the purpose and object of the late act of Congress authorizing the President to close the ports by proclamation. But I very much fear that difficulties will grow up between us and Great Britain and France upon this question. Unless the ports are hermetically sealed by blockade, not by proclamation—if these countries get short of cotton, and we are *not ourselves in possession of the interior*—excuses enough will be made for breaking the blockade. The tone of the public press here indicates this; the private conversation of public men indicate it.

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With much respect, your obedient servant,

WILLIAM L. DAYTON.

William H. Seward, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 31.]

Paris, *August* 19, 1861.

Sir: On Thursday of last week I was informed by Lord Cowley that Mr. Adams and Lord John Russell had agreed upon the text of a convention in respect to maritime rights, &c. On the following day a copy of this convention was sent to me by Lord Cowley. I find it substantially, if not literally, the same as that which you enclosed to me, and directed me to execute. I am to see Mr. Thouvenel upon the subject by appointment to-morrow. Unless something shall occur, altering the existing condition of things, this convention will doubtless be executed at an early day. Your despatch No. 30 says, "the President is not impatient about the negotiations concerning neutral rights," but your prior despatches and the action of Mr. Adams have put any considerable delay out of my power. Besides, if the treaty is to be executed, whether it be done a few days or weeks earlier or later is, perhaps, not very important. I have felt much relieved in this negotiation by the specific character of my instructions.

With great respect, I have the honor to be your obedient servant,

WILLIAM L. DAYTON.

The Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 35.] PARIS, *August* 22, 1861.

SIR: My anticipations expressed in despatch No. 10 are fully realized. Both Lord John Russell and Mr. Thouvenel refuse to negotiate for an accession by the United States to the treaty of Paris of 1856, except on the distinct understanding that it is to have no bearing, directly or indirectly, on the question of our southern or domestic difficulty, and to render the matter certain they each propose to make a written declaration simultaneous with the execution of the convention, of which I herewith send you a copy and a translation. I likewise send you a copy of Mr. Thouvenel's note to me with its translation.

I had an interview on Tuesday, the 20th instant, with Mr. Thouvenel by appointment in reference to the subject-matter of the convention, and then he gave me the first notice of the purpose of the French government to execute this outside declaration, predicated as it was, beyond all doubt, upon a note he had just received from Lord John Russell, dated only the day preceding. He said that both France and Great Britain had already announced that they would take no part in our domestic controversy, and they thought that a frank and open declaration in advance of the execution of this convention might save difficulty and misconception hereafter. He further said, in the way of specification, that the provisions of the treaty standing alone might bind England and France to pursue and punish the privateers of the south as pirates. That they were unwilling to do this, and had already so declared. He said that we could deal with these people as we chose, and they could only express their regrets on the score of humanity if we should deal with them as pirates, but they could not participate in such a course. He said, further, that although both England and France were anxious to have the adhesion of the United States to the declaration of Paris, that they would rather dispense with it altogether than be drawn into our domestic controversy. He insisted somewhat pointedly that I could take no just exception to this outside declaration, simultaneous with the execution of the convention, unless we intended they should be made parties to our controversy; and that the very fact of my hesitation was an additional reason why they should insist upon making such contemporaneous declaration. These are the general views expressed by him.

In answer, I assented at once to the propriety of such declaration being made in advance *if France and England did not mean to abide by the terms of* *the treaty.* I stated that I had no reason to suppose that the United States desired to embroil these countries in our domestic difficulties—that in point of fact our great desire had been that they should keep out of them; but they proposed now to make a declaration to accompany the execution of the convention which they admitted would vary its obligations. That my instructions were to negotiate that convention, and that I had no authority to do anything or listen to anything which would waive any rights or relieve from any obligation which might fairly arise from a just construction of its terms. He said they did not mean to alter its terms, that it was not like an addition of other provisions to the terms of the treaty itself. To this I replied, that for the purpose intended, it was precisely the same as if this declaration they proposed to make were to be incorporated into the treaty itself. That its effect was to relieve them (without complaint on our part) from compliance with one of the admitted obligations of the treaty. I then told him I would consult with Mr. Adams, and it was not improbable that we might feel ourselves under the necessity of referring again to our government, to which he answered that that must be a question for us to determine. In the course of our conversation I told him that any declaration or action which looked to or recognized a difference or distinction between the north and south was a matter upon which our government was, under the circumstances, peculiarly sensitive. That we treated with foreign governments for our whole country, north and south, and for all its citizens, whether true men or rebels, and when we could not so treat, we would cease to treat at all. He answered that they did not mean to contest our right to treat for the whole country, and that was not the purpose of the outside declaration they proposed to make; but having heretofore adopted a course of strict neutrality, the declaration in question was right and proper to prevent misconception and controversy in the future.

After my conference with Mr. Thouvenel closed, I immediately wrote to Mr. Adams, and suggested to him the propriety of either referring again to our government for instructions, or, if he thought that such reference would involve any unnecessary delay, then, at least, that at the time of executing the convention (if it were executed) we should in like manner make a counter declaration in writing, stating, in substance, that "we have no power to admit, and do not mean to admit, that this outside declaration by Great Britain and France is to relieve them, directly or indirectly, from any obligation or duty which would otherwise devolve upon them in virtue of said convention."

I have felt constrained to make these suggestions to Mr. Adams, for I am unwilling to act affirmatively in a matter of so much importance without being clearly within my instructions. I shall await his answer before I communicate further with the French government.

With much respect, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c.

[Translation.]

Paris, *August* 20, 1861.

Sir: I have the honor to communicate to you the text of the written declaration that I propose to myself to make, and of which I will take care to remit to you a copy, at the moment of the signing of the convention designed to render obligatory between France and the United States the principles upon maritime rights proclaimed by the congress of Paris. This declaration has for its object, as you will see, to prevent all misunderstanding upon the nature of the engagements which the government of the Emperor is disposed to contract.

If you were ready to sign the convention contemplated, we might be able to agree to make it the same day when Lord Russell should proceed from his side to the signing of a similar act with Mr. Adams.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

THOUVENEL.

Mr. Dayton,
Minister of the United States at Paris.

[Translation.]

Draft of declaration.

In affixing his signature to the convention concluded in date of this day between France and the United States, the undersigned declares, in execution of the orders of the Emperor, that the government of his Majesty does not intend to undertake, by the said convention, any engagement of a nature to implicate it, directly or indirectly, in the internal conflict now existing in the United States.

Mr. Dayton to Mr. Seward.

No. 37.] Paris, *August* 29, 1861.

Sir: Herewith I beg to enclose a copy of a communication made by me to Mr. Thouvenel, in answer to his formal notice of a purpose on the part of the French government to make an outside declaration of its intentions at the time of the execution of the treaty, copies of which were enclosed in despatch No. 35.

It is in part the same matter suggested to him by me in the conference in which he first notified me of his purpose. His written communication subsequent to that conference required a like formal reply. I am happy to learn from a communication received from Mr. Adams that he concurs with me in the propriety of stopping the negotiation where it is, and referring the matter to the government at home. I should have been most reluctant, under the circumstances, to execute this convention, had Mr. Adams insisted upon it, making only a counter declaration, such as was referred to in despatch No. 35; but I was very desirous, after what had passed, not to be considered an obstacle in the way of carrying out the wishes of the administration. I doubt now, however, if England and France would themselves have assented to proceed with the execution of the convention in the face of such declaration.

With much respect, I have the honor to be your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c.

Mr. Dayton to Mr. Thouvenel.

LEGATION OF THE UNITED STATES,
Paris, August 26, 1861.

MONSIEUR LE MINISTRE: I have the honor to acknowledge the receipt of your communication of the 20th instant, in which (carrying out the purpose expressed by you in our prior conversation of that day) you communicate to me the text of a written declaration which you propose to make simultaneous with the execution of the convention between the United States and France, in reference to the principles upon maritime rights proclaimed by the Congress of Paris in 1856. You further suggest in your note that if I were ready to sign the convention contemplated, we might be able to agree to do so the same day when Lord Russell should proceed, on his side, to the signing of a like convention with Mr. Adams.

The declaration which you propose to make in writing, simultaneous with the execution of the convention, has for its object, you say, "to prevent all misunderstanding as to the nature of the engagements which the government of the Emperor is disposed to contract," and this declaration is, that "in the execution of the orders of the Emperor the government of his Majesty does not intend to undertake, by said convention, any engagements of a nature to implicate it directly or indirectly in the internal conflict now existing in the United States."

My impressions, hastily thrown out when this proposition was verbally suggested, have been strengthened by subsequent reflection. I do not stop to inquire how such outside declaration as you propose may affect the rights or obligations of parties under the treaty. Indeed, it is so general that it may not be possible to anticipate its entire scope or operation. It gives us notice that the engagements of your government are not to be "*of a nature* to *implicate* it directly or *indirectly* in the internal conflict," &c. It may be that the conduct of the government of France, under this declaration, would practically extend no further than would be agreeable to the United States; yet I cannot act upon such assumption. My instructions are to negotiate a particular convention, the text of which has been examined and approved, as I understand, by your excellency. If the declaration which you propose to make does not alter the obligations or duties which would otherwise devolve upon France, in virtue of that convention, it is useless to make it. If it does alter such obligations or duties, then I am not authorized to execute the convention subject to such declaration. This, indeed, so far as my action at present is concerned, is the whole case. But the subject justifies, and perhaps requires some other remarks. You stated that you thought it more frank and loyal to make your declaration in advance, and in this I entirely concurred. If the treaty without such declaration would impose any duty upon France which she would be unwilling to perform, it was manifestly proper that she should declare her purpose in advance. It was proper, not only for the purpose of preventing misunderstanding as to the nature of her intended engagements, but for the other purposes of leaving to the United States the option of determining, with full knowledge, whether she would or would not enter into the treaty subject to such declaration. The declaration, it is true, is not strictly a part of the treaty, yet, for the purpose intended, its effect and operation would be the same as if it were incorporated into the treaty itself. It will prevent misunderstandings as to the nature of the engagements, or, in other words, it will prevent one party complaining of a non-performance of supposed engagements by the other under the treaty, just as effectively as if it were a condition added to the treaty itself. But for the interposition of this declaration I should have assented to the execution of the treaty at once; as it is, I have no power to do so.

From this it must not be inferred that there is now, or at any time has been, the slightest wish upon the part of the United States to involve France or any other foreign government in its domestic controversy. The wish, nay, stronger than this, the *right* to be let alone by other nations, has been claimed at all times, so far as I know, by our government and its representatives abroad. They have never failed to deprecate, in the most earnest manner, all interference in this question upon the part of foreign powers. Yet the declaration which it is now proposed to make would seem to imply that such interference might be claimed by us at the hands of those powers with whom such treaty might be made. I submit, with great respect, that there is nothing in the present position of the United States, or in the past history of this negotiation, which would justify such an inference. When the present administration at Washington came into power it almost immediately gave orders to its representatives abroad to open negotiations upon this general subject; not, it is to be assumed, for any small purpose or object growing out of what they then believed to be a mere temporary insurrection, but with a view to the settlement, so far as their assent could settle the same, of certain great principles of maritime law.

The second and third of those principles, enunciated in the declaration of Paris, has been already proposed and urged upon the attention of other nations by the United States.

The fourth of those principles, which requires that blockades to be respected shall be effective, had never been denied (at least by the United States) as a principle of international or maritime law. It was the first only of the points enunciated in that celebrated declaration about which hesitation existed.

The abandonment of the right, by belligerents, to issue letters of marque and reprisal, under proper restraints, was a serious matter to a country having the extended commerce and limited navy of the United States; yet such abandonment by all nations would, we well knew, tend much to lessen the afflictions incident to war; and so, too, the exemption of property of non-combatants at sea, (except contraband,) as it is on land, would, in a still greater degree, tend to the same end.

Hence the disposition manifested on the part of the United States, on every proper occasion, to connect in its negotiations the two; to make the concession of the one the equivalent, if possible, of the concession of the other. This was the condition of things when the present administration at Washington came into power. Not trammelled by certain considerations which had affected some of their predecessors, they immediately took up the negotiation where it had been left by a prior administration. Ascertaining definitely that the exemption of private property afloat (except contraband) would not be conceded by *all* the powers, they assented at once to the execution of a convention, adopting the four principles of the declaration of Paris as they are, without addition and without limitation.

Then, for the first time, we were informed that the government of his Majesty the Emperor (in connexion with that of her Britannic Majesty) would only execute such convention subject to a certain condition, which it declares for itself, and of the extent and operation of which it is itself to judge.

I cannot, of course, anticipate with certainty what view the government of the United States may take of this question, but I can scarcely suppose it will assent to the execution of a convention adopting the declaration of Paris, except upon terms of entire reciprocity, and subject to no other condition than those existing by and between the original parties; nor do I believe that it will, in its negotiations with foreign governments, at all assent to exceptions and reservations, verbal or written, predicated upon the existing state of things in that country. It will, I apprehend, exact no more and be content with no less than it would have been entitled to had the convention been executed in advance of its present internal controversy. If, therefore, the government of France shall consider that an unconditional execution of that convention will demand of it interference in our affairs, or will implicate it in any shape in the civil war now raging in our country, then it is obvious this is not a proper time for her or for us to enter into such agreements.

But these suggestions are made, of course, subject to correction from the government at Washington. To it I shall at once refer the communication of your excellency, together with a copy of the declaration which you have done me the honor to submit upon the part of the French government.

I avail myself of the opportunity to renew to your excellency assurances of the high consideration with which I have the honor to be, sir, your very humble and obedient servant,

WILLIAM L. DAYTON.

Monsieur Thouvenel,
Ministre des Affaires Étrangères.

Mr. Seward to Mr. Dayton.

No. 53.]

Department of State,
Washington, September 5, 1861.

Sir: Your despatch of August 19, No. 31, has been received.

Before this shall reach you, my instruction, No. 41, will have come to your hands. In that paper you were informed that you would be expected to rest in your negotiation concerning maritime rights until after we should have received some explanations from Lord Russell on a point raised in the negotiation at London.

Those explanations have not yet been received here.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 44.]

Paris, *September* 7, 1861.

Sir: Your despatches, 41, 42, and 43, are duly received through Captain Schulz.

Your action, indicated in 41 and 42, has been anticipated by me. In a letter from Mr. Adams, dated London, August 1, 1861, he encloses me a copy of Lord John Russell's note of July 31, 1861, and in reference to the vague paragraph to which your despatches refer he says: "I do not quite comprehend the drift of the last paragraph, but I presume you will find it out in the progress of your negotiation." This I immediately answered by a letter, of which I herewith send you a copy.

Their subsequent offer to make a written outside declaration cotemporaneous with the execution of the treaty was a degree of frankness which I did not anticipate, and for which I had not given them credit. I shall wait with great pleasure, according to your instructions, "the result of the explanations which Mr. Adams is instructed to ask," but I expect that both he and I have already received all necessary explanations on that point. My conversations, at least with Mr. Thouvenel, have covered the whole ground, as stated to you in despatch No. 35. I add that I communicated immediately to Mr. Adams the substance of that conversation with Mr. Thouvenel.

The exequatur of James Lesley, appointed consul of the United States to Lyons, was applied for immediately on the receipt of his commission.

With much respect, I have the honor to be, your obedient servant,

WILLIAM L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c.

Paris, *August* 5, 1861.

Sir: I acknowledge with pleasure the receipt of yours of the 1st instant, enclosing a copy of your note to Lord John Russel and his reply. I feel that we have done a good thing in getting the reply of the British government (declaring the amendment to the treaty of Paris inadmissible) in writing. At least, we can proceed now, under our instructions, with a consciousness that we not only have not neglected this point, but that we have the evidence of having pressed it affirmatively. You say you do not comprehend the drift of the last paragraph in Lord John's reply. I think I do, at least, in part, and I shall not be surprised if the meaning, which he has purposely wrapped up in that general language, should in the end break off all negotiation. He may not refer to this language again, but unless you ask its meaning before the treaty is negotiated, it will be used by them afterwards as an excuse for not carrying it in effect as respects the insurrectionists of the south. The paragraph states, "the engagement of Great Britain will be prospective, and will not invalidate anything already done." The comment after the treaty, predicated upon this language, will be: "We had declared before the treaty that the southern insurrectionists were a belligerent party, and entitled to belligerent rights, (among which is the right to issue letters of marque,) and the treaty was to be prospective only, and not to invalidate anything already done. That, in other words, it does not bind your disloyal citizens, recognized by us as a belligerent party." I long ago wrote Mr. Seward that these powers would, in my judgment, either refuse to negotiate, or, if they did negotiate, it would be with the understanding that it secured us no rights not already conceded, and charged them with no duties not heretofore acknowledged, It is advisable that we raise no question in advance in reference to this matter, but it is necessary that we know what they mean as we go along.

With much respect, I am yours truly,

WM. L. DAYTON.

His Excellency Chas. F. Adams,
United States Minister.

Mr. Seward to Mr. Dayton.

No. 56.]

Department of State,
Washington, September 10, 1861.

Sir: Your despatch of August 22, No. 35, has been received. I learn from it that Mr. Thouvenel is unwilling to negotiate for an accession by the United States to the declaration of the congress of Paris concerning the rights of neutrals in maritime war, except "on a distinct understanding that it is to have no bearing, directly or indirectly, on the question of the domestic difficulty now existing in our country," and that to render the matter certain Mr. Thouvenel proposes to make a written declaration simultaneously with his execution of the projected convention for that accession.

You have sent me a copy of a note to this effect, addressed to you by Mr. Thouvenel, and have also represented to me an official conversation which he has held with you upon the same subject. The declaration which Mr. Thouvenel thus proposes to make is in these words:

"DRAFT OF DECLARATION.

"In affixing his signature to the convention concluded on date of this day between France and the United States, the undersigned declares, in execution of the orders of the Emperor, that the government of his Majesty does not intend to undertake by the said convention any engagements of a nature to implicate it, directly or indirectly, in the internal conflict now existing in the United States."

My despatch of the 17th day of August last, No. 41, which you must have received some time ago, will already have prepared you to expect my approval of the decision to wait for specific instructions in this new emergency at which you have arrived.

The obscurity of the text of the declaration which Mr. Thouvenel submits to us is sufficiently relieved by his verbal explanations. According to your report of the conversation, before referred to, he said that both France and Great Britain had already announced that they would take no part in our domestic controversy, and they thought that a frank and open declaration in advance of the execution of the projected convention might save difficulty and misconception hereafter. He further said, in the way of specification, that the provisions of the convention standing alone might bind England and France to pursue and punish the privateers of the south as pirates; that they are unwilling to do this and had so declared. He said, also, that we could deal with these people as we choose, and they (England and France) could only express their regrets on the score of humanity if we should deal with them as pirates, but that they could not participate in such a course. He added, that although both England and France are anxious to have the adhesion of the United States to the declaration of Paris, yet that they would rather dispense with it altogether than be drawn into our domestic controversy. He insisted somewhat pointedly that we could take no just exception to this outside declaration, to be made simultaneously with the execution of the convention, unless we intended that they (England and France) shall be made parties to our controversy, and that the very fact of your hesitation was an additional reason why they should insist upon making such contemporaneous declaration as they proposed.

These remarks of Mr. Thouvenel are certainly distinguished by entire frankness. It shall be my effort to reply to them with moderation and candor.

In 1856, France, Great Britain, Russia, Prussia, Sardinia and Turkey' being assembled in congress at Paris, with a view to modify the law of nations so as to meliorate the evils of maritime war, adopted and set forth a declaration, which is in the following words:

1st. Privateering is and remains abolished.

2d. The neutral flag covers enemy's goods, with the exception of contraband of war.

3d. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4th. Blockades, in order to be binding, must be effective—that is to say, maintained by forces sufficient really to prevent access to the coast of the enemy.

The States which constituted the congress mutually agreed to submit the declaration to all other nations and invite them to accede to it. It was to be submitted as no special or narrow treaty between particular States for limited periods or special purposes of advantage, or under peculiar circumstances; but, on the contrary, its several articles were, by voluntary acceptance of maritime powers, to constitute a new chapter in the law of nations, and each one of the articles was to be universal and eternal in its application and obligation. France especially invited the United States to accede to these articles. An invitation was equally tendered to all other civilized nations, and the articles have been already adopted by forty-one of the powers thus invited. The United States hesitated, but only for the purpose of making an effort to induce the other parties to enlarge the beneficent scope of the declaration Having failed in that effort, they now, after a delay not unusual in such great international discussions, offer their adhesion to that declaration, pure and simple, in the form, words and manner in which it was originally adopted and accepted by all of the forty-six nations which have become parties to it. France declines to receive that adhesion unless she be allowed to make a special declaration, which would constitute an additional and qualifying article, limiting the obligations of France to the United States to a narrower range than the obligations which the United States must assume towards France and towards every other one of the forty-six sovereigns who are parties to it, and narrower than the mutual obligations of all those parties, including France herself.

If we should accede to that condition, it manifestly would not be the declaration of the congress of Paris to which we would be adhering, but a different and special and peculiar treaty between France and the United States only. Even as such a treaty it would be unequal. Assuming that Mr. Thouvenel's reasoning is correct, we should in that case be contracting an obligation, directly or indirectly, to implicate ourselves in any internal conflict that may now be existing or that may hereafter occur in France, while she would be distinctly excused by us from any similar duty towards the United States.

I know that France is a friend, and means to be just and equal towards the United States. I must assume, therefore, that she means not to make an exceptional arrangement with us, but to carry out the same arrangement in her interpretation of the obligations of the declaration of the congress of Paris in regard to other powers. Thus carried out, the declaration of Paris would be expounded so as to exclude all internal conflicts in States from the application of the articles of that celebrated declaration. Most of the wars of modern times—perhaps of all times—have been insurrectionary wars,or "internal conflicts." If the position now assumed by France should thus be taken by all the other parties to the declaration, then it would follow that the first article of that instrument, instead of being, in fact, an universal and effectual inhibition of the practice of privateering, would abrogate it only in wars between foreign nations, while it would enjoy universal toleration in civil and social wars. With great deference, I cannot but think that, thus modified, the declaration of the congress of Paris would lose much of the reverence which it has hitherto received from Christian nations. If it were proper for me to pursue the argument further, I might add that sedition, insurrection and treason would find in such a new reading of the declaration of Paris encouragement which would tend to render the most stable and even the most beneficent systems of government insecure. Nor do I know on what grounds it can be contended that practices more destructive to property and life ought to be tolerated in civil or fratricidal wars than are allowed in wars between independent nations.

I cannot, indeed, admit that the engagement which France is required to make without the qualifying declaration in question would, directly or indirectly, implicate her in our internal conflicts. But if such should be its effect, I must, in the first place, disclaim any desire for such an intervention on the part of the United States. The whole of this long correspondence has had for one of its objects the purpose of averting any such intervention. If, however, such an intervention would be the result of the unqualified execution of the convention by France, then the fault clearly must be inherent in the declaration of the congress of Paris itself, and it is not a result of anything that the United States have done or proposed.

Two motives induced them to tender their adhesion to that declaration—first, a sincere desire to co-operate with other progressive nations in the melioration of the rigors of maritime war; second, a desire to relieve France from any apprehension of danger to the lives or property of her people from violence to occur in the course of the civil conflict in which we are engaged, by giving her, unasked, all the guarantees in that respect which are contained in the declaration of the congress of Paris. The latter of these two motives is now put to rest, insomuch as France declines the guarantees we offer. Doubtlessly, she is satisfied that they are unnecessary. We have always practiced on the principles of the declaration. We did so long before they were adopted by the congress of Paris, so far as the rights of neutrals or friendly States are concerned. While our relations with France remain as they now are we shall continue the same practice none the less faithfully than if bound to do so by a solemn convention.

The other and higher motive will remain unsatisfied, and it will lose none of its force. We shall be ready to accede to the declaration of Paris with every power that will agree to adopt its principles for the government of its relations to us, and which shall be content to accept our adhesion on the same basis upon which all the other parties to it have acceded.

We know that France has a high and generous ambition. We shall wait for her to accept hereafter that co-operation on our part in a great reform which she now declines. We shall not doubt that when the present embarrassment which causes her to decline this co-operation shall have been removed, as it soon will be, she will then agree with us to go still further, and abolish the confiscation of property of non-belligerent citizens and subjects in maritime war.

You will inform Mr. Thouvenel that the proposed declaration on the part of the Emperor is deemed inadmissible by the President of the United States; and if it shall be still insisted upon, you will then inform him that you are instructed for the present to desist from further negotiation on the subject involved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

[Extract.]

PARIS, *September* 10, 1861.

SIR: * * * * * * * *

I herewith enclose to you a copy and translation of a communication recently received by me from Mr. Thouvenel on the subject of the execution of the convention as to maritime rights. It contains nothing that I have not referred to before, but it is evident he wanted to put the specific grounds of exception to an unconditional exception of the treaty on record.

* * * * * * * * *

With much respect, your obedient servant,

WILLIAM L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Thouvenel to Mr. Dayton.

[Translation]

PARIS, *September* 9, 1861.

SIR: I have received the letter which you did me the honor to write me, the 26th of the month of August, in order to explain to me the reasons which induced you to await further instructions from your government before proceeding to the signing of the convention relative to maritime rights.

In this state of affairs, I could but await the arrival of the instructions which you have requested, and, consequently, I do not wish to enter into the discussion of the motives which have prevented you from signing the contemplated convention, and which you were pleased to bring to my knowledge. I desire, however, to set forth clearly, by some further explanations, what is the train of thought followed by the government of the Emperor, in judging, like the government of her Britannic Majesty, that it is expedient to accompany the proposed treaty with a special declaration.

If the United States, before the actual crisis, had adhered to the declaration of the congress of Paris, as this adhesion would have bound the whole confederation from that moment, the cabinet of Washington might, at the present time, have availed itself of it to contest the right of the southern States to arm privateers. Now, if this supposition be correct, (fondée,) one could not be astonished that the government of Mr. President Lincoln, according to the principles which it has set forth in its manner of viewing the present conflict, should wish to consider the contemplated convention as much obligatory upon seceded States, in the present circumstances, as if it had preceded the hostilities. But if this opinion be quite explicable on the part of the cabinet of Washington in the situation in which events have placed it, it could not be thus with governments which have proposed to themselves to preserve the strictest neutrality in a struggle, the gravity of which it has no longer been possible for them to disregard. In accepting, then, a proposition presented (formulée) by the federal government, when the war had already unhappily broken out between the northern and southern States of the Union, it was natural that the government of the Emperor, having decided not to turn itself aside from the attitude of reserve which it had imposed upon itself, should consider beforehand what extension the cabinet of Washington might be induced, on account of its position, to give to an arrangement, by which it declared that the United States renounced privateering. The hostilities, in which the federal government is actually engaged, offering to it the opportunity of putting immediately into practice the abandonment of this mode of warfare; and its intention, officially announced, being to treat the privateers of the south as pirates, it was manifestly of importance to caution the cabinet of Washington against the conviction, where it might exist, that the contemplated treaty obliged us thus to consider the privateers of the south as pirates. I will not dwell upon the matter (n' insisterai pas) in order to show how much we would deviate from the neutrality we have declared ourselves desirous of observing towards the two factions of the Union, if, after having announced that they would constitute for us two ordinary belligerents, we should contest the primitive rights of a belligerent to one of them, because the other should consent voluntarily to the abandonment of it in a treaty concluded with us. There is no need to point out, further, how we would forcibly break through our neutrality as soon as we should be constrained, in virtue of the contemplated convention, to treat as pirates the privateers which the south will persist in arming. The cabinet of Washington might, then, I repeat, be led, by the particular point of view in which it is placed, to draw from the act which we are ready to conclude such consequences as we should now absolutely reject. It has seemed to us that it is equally important to the two governments to anticipate (prevénir à l'avance) all difference of interpretation as regards the application to the actual circumstances of the principles which were to become common to them both. Otherwise, it would have been to be feared, if the same explanations had had to be exchanged later, that there would have been attributed to them a character altogether different from that which they really possess. We would regret, too, sincerely that the least misunderstanding should be produced in our relations with the United States, not to be anxious, from this moment henceforth, to enlighten them upon a reserve, which, being officially stated to the cabinet of Washington before the signing of the convention, maintains strictly one line of neutrality, without taking away from the value of the agreement, which, in this case, we will be happy to establish with the United States.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

THOUVENEL.

Mr. Dayton,
Minister of the United States at Paris.

Mr. Seward to Mr. Dayton.

No. 59.]

Department of State,
Washington, September 23, 1861.

Sir: Your despatch of the 29th of August (No. 37) was duly received. The proceedings it relates had, however, been anticipated, and it only remains to be said in regard to them, that your conduct therein is fully approved

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 66.] Department of State,
Washington, October 10, 1861.

Sir: Some unaccounted for obstruction of the mails has caused a delay in the receipt of your despatch of the 7th of September (No. 44) until this time.

As I expected, you very properly anticipated my instructions on the subject of the conditional execution of the treaty proposed by Mr. Thouvenel, and your proceedings in that respect are entirely approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Dayton to Mr. Seward.

No. 59.] Paris, *October* 14, 1861.

Sir: After a careful examination of your despatch (No. 36) in reference to an accession by the United States to the declaration of the congress of Paris, I have thought it best to submit a copy of the same to Mr. Thouvenel, to be read.

As your despatch recapitulates the points made by Mr. Thouvenel in the conversation with me and reported by me to the government, it was perhaps due to him that he should see if he has been correctly reported. Upon one side, it was equally important that, in a matter of so much interest, the view taken by our government should not be misstated nor misunderstood. It seems to me now that the case stands, upon the whole correspondence, as well for the government of the United States as could be desired.

With much respect, your obedient servant,

WM. L. DAYTON.

His Excellency William H. Seward,
Secretary of State, &c., &c.

Mr. Seward to Mr. Dayton.

No. 71.] Department of State,
Washington, October 21, 1861.

Sir: Your despatch of September 30 (No. 54) has been duly received. Your vigilance in communicating to me Mr. Brown's comments on the subject of confiscation is approved. You will have learned, however, from the press, before this paper shall reach you, that the crises he apprehended were unreal.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Dayton.

No. 72.] Department of State,
Washington, October 21, 1861.

Sir: Your despatch of September 30 (No. 55) has been received. I thank you for your diligence in transmitting the papers concerning our blockade, which it contains. The blockade is already very effective, quite as much so as any nation ever established. Proceedings are now on foot which will remove the premature objections of the French consul to which you allude.

I am your obedient servant,

WILLIAM H. SEWARD.

WM. L. DAYTON, Esq., *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

No. 69.] PARIS, *October* 22, 1861.

SIR: You will recollect that in despatch No. 59 I informed you that I had thought it proper, under all the circumstances, to submit a copy of your last despatch, No. 56, in reference to the projected treaty, &c., to Mr. Thouvenel, to be read and returned. Herewith I send you a translation of his note, acknowledging the reception of the copy of your despatch, and returning the same. He makes no comment on your despatch, and his note is of no importance except that you may have in your department the entire correspondence upon this important subject.

Respectfully, your obedient servant,

WM. L. DAYTON.

His Excellency WILLIAM H. SEWARD,
Secretary of State, *&c.*, *&c.*

[Translation.]

PARIS, *October* 18, 1861.

SIR: You have been pleased to transmit to me, the 14th of this month, a copy of a despatch in which Mr. the Secretary of State of the Union sets forth the motives which do not permit the cabinet at Washington to accept, in signing a convention of adhesion to the principles of maritime right proclaimed by the Congress of Paris, the declaration of which I had sent you the rough draft.

I have the honor to acknowledge the receipt of this communication, in returning to you, according to your desire, the despatch with which you have made me acquainted.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

THOUVENEL.

Mr. Seward to Mr. Dayton.

No. 80.] DEPARTMENT OF STATE,
Washington, *November* 7, 1861.

SIR: I have the honor to acknowledge the receipt of your despatch of October 22, (No 69,) which is accompanied by a note from Mr. Thouvenel on the subject of my despatch to you, No. 56.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c.*, *&c.*, *&c.*

Mr. Dayton to Mr. Seward.

No. 75.] Paris, *November* 7, 1861.

Sir: I acknowledge the receipt this morning of despatches Nos. 68, 69, 70, 71, and 72. Their contents relate principally to the reception of sundry despatches from me, with brief answers, for which I am much obliged. I asked any information that it might be proper to give as to the future course of events in the United States, (beyond what is found in the newspapers,) not from curiosity, merely, but because I am sometimes questioned here by parties in the government, and fear that I indicate an unwarrantable ignorance, for I am constrained to say that I know nothing beyond what is common to all the world; while the government and diplomats here take it for granted that I ought to know a great deal more.

Your despatch (No. 68) informs me of Mr. Adams's communication of an intended couuter-proposition to be made by England and France to our government in respect to Mexican affairs. Of this I had heard before, and it made me less anxious as to the question here; for the fact that a counter-proposition was to be made and answered would, of necessity, as I thought, occupy time and give the United States a chance for reflection, and perhaps action. The prompt consummation of this matter in London has rather taken me by surprise. I fear that some misunderstanding of each other's meaning may have occurred upon the part of Mr. Adams and Earl Russell, or one of them. At all events a point has been reached at a much earlier day than an intimation of such intended proposition led me to anticipate.

I am, with respect, your obedient servant,

WILLIAM L. DAYTON.

His Excellency William H. Seward, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Dayton.

No. 84.] Department of State,
Washington, *November* 23, 1861.

Sir: Your despatch of November 7 (No. 75) has been received.

I have regretted quite as much as you have my inability at this moment to give advices to you and each other of our representatives abroad of the course of events occurring at home, and of the general drift of our correspondence with other nations; but this domestic commotion has ripened into a transaction so vast as to increase more than fourfold the labors of administration in every department. You can readily imagine how vast a machinery has been created in the War Department, in the Navy Deparment, and in the Treasury Department, respectively. The head of each is a man of busy occupations, high responsibilities, and perplexing cares. You would hardly suppose that a similar change has come over the modest little State Department of other and peaceful days; but the exactions upon it are infinite, and out of all that offers itself to be done, I can only select and do that which cannot be wisely or safely left undone.

Thus far we have no official notice from Europe of the proceedings there in regard to Mexico.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

William L. Dayton, Esq., *&c.*, *&c.*, *&c.*

SPAIN.

Mr. Seward to Mr. Schurz.

[Extract.]

No. 2.]

Department of State,
Washington, April 27, 1861.

Sir: You receive the President's instructions for the discharge of your very important mission at a moment when a domestic crisis, long apprehended with deep solicitude, is actually reached. For the first time since the foundations of this federal republic were laid with such pious care and consummate wisdom, an insurrection has developed itself, and assumed the organization and attitude of a separate political power. This organization consists of several members of this Union, under the name of "The Confederate States of America." That irregular and usurping authority has instituted civil war. The President of the United States has adopted defensive and repressive measures, including the employment of federal forces by land and by sea, with the establishment of a maritime blockade. The revolutionists have opposed to these inevitable measures an army of invasion directed against this capital, and a force of privateers incited to prey upon the national commerce, and ultimately, no doubt, the commerce of the world. It seems the necessity of faction in every country that whenever it acquires sufficient boldness to inaugurate revolution, it then alike forgets the counsels of prudence and stifles the instincts of patriotism, and becomes a suitor to foreign courts for aid and assistance to subvert and destroy the most cherished and indispensable institutions of its own. So it has already happened in this case that the revolutionary power has, as it is understood, despatched agents to Europe to solicit from the States of that continent at least their acknowledgment of its asserted sovereignty and independence. To oppose this application and prevent its success will be your chief duty, and no more important one was ever devolved by the United States upon any representative whom they have sent abroad.

There would, indeed, be no danger of the success of the unpatriotic application if the governments addressed could be relied upon to understand their true interests, and fulfil the obligations of national justice and fraternity. But unhappily in the present condition of society nations are, to say the least, neither wiser nor more just or generous than individual men.

You will take care that you do not yourself misunderstand the spirit in which your duty is to be performed, nor suffer that spirit to be misapprehended by the government of her Catholic Majesty. The government of the United States, in the first place, indulges no profound apprehensions for its safety, even although the government to which you are accredited, and even many others of the European continent, should intervene in this unhappy civil war. The union of these States, with the maintenance of their republican institutions, is guaranteed by material, moral, and social necessities of this continent and mankind, that will, the President feels assured, overbear all aggression that shall be committed upon them, no matter how various its forms or how comprehensive its combinations. The trial involves only the questions how long shall the struggle be protracted, and what shall be the measure of the disasters and calamities it shall inflict. Secondly. The government neither expects nor asks, nor would it consent to receive, aid or favor from Spain or any other foreign state. It asks only that such states perform their treaty obligations, and leave this domestic controversy to the care and conduct of those to whom it exclusively belongs. Whenever this republic shall have come to need the protection or favor of any other nation, it will have become unable and unworthy to exist, however aided from abroad.

The President, in the absence of all information, is left to conjecture what are the influences upon which the so-called Confederate States rely to induce her Catholic Majesty's government to grant their disloyal application. The high consideration which he entertains for her Majesty enables him to assume that the appeal taken from this government to her royal favor, proceeds, in part at least, on the ground that the revolutionists affect to have suffered oppression and wrong at the hands of the government of the United States, which entitle them to the sympathy of the Queen of Spain, if not to redress through her intervention. Her Catholic Majesty's government has not been addicted to such intervention hitherto, and the wisdom of its forbearance is seen in the revival of the energies of that great and honored nation, which now seems renewing a felicitous career.

The President, however, will not rely merely on the forbearance of any foreign power, not even on that of the government of Spain.

That government well understands the Constitution of the United States, and has had opportunity to learn its practical operation It therefore knows that the several States which constitute the federal Union can respectively practice tyranny or oppression upon individual citizens, and may even hinder and embarrass the general government, while, on the other hand, that government, being armed with only a few though very important powers needful for preserving domestic peace, and defence against foreign nations, can neither oppress nor impoverish nor annoy any member of the Union or any private citizen.

In the present case there are some points which will not escape consideration, namely:

1st. The very interest which now resorts to insurrection, practically speaking, has directed the administration of the federal government from the hour when the first murmur of discontent was heard until now when it raises the flag of disunion.

2d. The federal government, now seventy years old, has never made a foreign war which that same interest, now so insurrectionary, did not urge or demand; has never extended its dominion a square mile by discovery, conquest, or purchase except at the instance of the same party; has never exacted an irregular contribution, or levied an illegal or unequal tax, and only in war has imposed a direct tax. It has divided civil, military, and naval honors and trusts between all classes and sections, if not impartially, at least with preference of the same interest. It has constructed all the defences required for the section where that interest prevails, and for forty years has accommodated that interest with special legislation and beneficial arrangements with foreign powers. The administration of the government has been so just and so tolerant that no citizen of any one of the States claiming to be aggrieved has ever been deprived by it of his liberty, except on conviction of crime by his peers of the vicinage, nor of his property without due compensation, nor forfeited his life under its authority except as a volunteer in the battles of his country. I will not pursue the subject. It is enough to show that while this government will submit its action in domestic affairs to the judgment of no other nation, it does not fear to encounter the moral opinion of mankind.

Will the disunionists claim that they are the discoverers of a new and beneficent system of political government, which commends itself to the patronage of her Catholic Majesty? What are the salient principles of their system? First, government shall employ no standing military force in conducting administration of its domestic concerns, but shall always be constituted by popular suffrage, and be dependent upon it. But it shall, at the same time, be the right of the minority, when overruled in the elections, to resort to insurrection, not merely to reverse the popular decree, but even to overthrow the government itself, while, on the other hand, the government can never lawfully use force to coerce compliance with its laws.

2d. The several states, districts, intendencies, or provinces which constitute a nation, must be brought and held together not in any case by conquest or force, but by voluntary federation, which may be stipulated to be perpetual. But each constituent state, district, intendency, or province retains an inherent and absolute sovereignty, and its people may rightfully withdraw from the federal Union at pleasure, equally in war as in peace, leaving its common debts unpaid, its common treaties unfulfilled, its common defence frustrated. Moreover, the seceding party may seize all the federal treasures, defences, institutions, and property found within its own limits, and convert them to its own use, simply offering to come at its own future pleasure to an equitable account. It is not to be doubted that the kingdom of Spain could be dissolved by her Catholic Majesty's acceptance of this new system much more rapidly than by waiting the slow effect of foreign wars or domestic mal-administration. Castile, and Old Castile, Leon, Andalusia and Aragon, Cuba and the Philippine Islands, would be much more easily separated on this plan than New York and Louisiana, California and Massachusetts, Florida and Michigan.

Perhaps the so-called Confederate States will rest their appeal on some especial ground of sympathy with Spain and the states of Spanish America.

In such a case you will need only to say that the moderation which has thus far been practiced by the United States towards Spain and the Spanish American states once her colonies, has been due chiefly to the fact that the several North American states of British derivation, exclusive of Canada, have been bound together in a federal Union, and the continuance of that Union is the only guarantee for the practice of the same moderation hereafter.

Will the so-called Confederate States promise liberal or reciprocal commerce with Spain or her provinces? What commerce can there be between states whose staples are substantially identical? Sugar cannot be exchanged for sugar, cotton for cotton, or rice for rice. The United States have always been willing, and undoubtedly they always will remain willing, to establish commerce with Spain and her provinces on terms as mutually reciprocal as the government of that country itself will allow.

These thoughts are presented to you by direction of the President, not as exhausting the subject, but only as suggestions to your own vigorous and comprehensive mind, and he confidently relies on your applying all its powers to the full discussion of the subject if it shall become necessary.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Carl Schurz, Esq., *&c.*, *&c.*, *&c.*

Mr. Preston to Mr. Seward.

[Extract.]

No. 41.] LEGATION OF THE UNITED STATES,
Aranjuez, April 22, 1861.

SIR: An interview has taken place between the minister of foreign affairs and myself in reference to the subject embraced in your circular.

In conformity with your instructions, I presented the inaugural address of the President as expressive of his policy towards the seceding States, and read to him your despatch, saying that the administration conceived that the unhappy differences existing in America owed their origin to popular passions and were of a transient character, and that the President was well assured of the speedy restoration of the harmony and unity of the government.

The minister replied with courtesy, expressing pain at the posture of affairs in the United States, but said that her Majesty's government was informed that extensive military and naval preparations were making in the north to enforce the federal supremacy in the south, and that the consequences were to be dreaded. I replied that I felt assured his information was erroneous.

No commissioners from the Confederated States have yet applied for the recognition of the Southern Confederacy, as I informed you in my former despatch. The minister has promised me that no negotiations for that purpose shall be conducted without my being fully informed. This is as satisfactory an arrangement as could be desired under existing circumstances.

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I have the honor to remain your obedient servant,

W. PRESTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., Washington, D. C.

Mr. Preston to Mr. Seward.

[Extract]

No. 54.] LEGATION OF THE UNITED STATES,
Madrid, May 25, 1861.

SIR: * * * * * * * *

The proclamations of the President declaring the blockade of the ports of Virginia, North Carolina, and other southern States, have been transmitted to the government of her Catholic Majesty for its official notification.

No commissioners have yet arrived in Spain to apply for the recognition of the southern States which have seceded from the Union, and none will probably come until the question has been determined by the cabinets of London or Paris. * * * * * * *

I have the honor to remain your obedient servant,

W. PRESTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., Washington, D. C.

Mr. Perry to Mr. Seward.

[Extract.]

No. 4.]

LEGATION OF THE UNITED STATES,
Madrid, June 13, 1861.

SIR: Your despatch of May 20, No. 1, has reached me, and varies the instructions of May 9.

Please find annexed copy of my note to Mr. Calderon, dated yesterday, which I placed in his hands accompanied by a copy of your despatch. I deemed it proper to provoke a repetition to myself of the assurance given to Mr. Preston, and fix it by a statement in writing.

On this subject, of the recognition by Spain of the pretended government of the Confederate States, I have had various interviews with influential personages, and with the sub-secretary and the first secretary of state. I have represented the position of the rebel party in a light which was evidently new to them.

Yesterday, in a long and very satisfactory interview with Mr. Calderon, I explained to him the connexion of Mr. Jefferson Davis and other leaders in the southern rebellion with the attempt made in 1854–'55 by the same parties to provoke a war with Spain for the conquest of Cuba. He was made to see that the former filibustering against Cuba had its origin, like the present rebellion at the south, in the political ambition of our slave owners. They then wished to re-enforce the slave power in the Union by the annexation of new slave States, but having failed in Cuba, in Nicaragua, in Kansas, and lastly in the recent presidential election, they had at length to turn their arms against the government of the United States, now passed out of their control.

Secession was filibustering struck in. I explained that, unhappily, a class at the south called by the slave owners "mean whites" were quite ready to follow their lead, and were a terrible instrument in their hands. Their own ignorance, their dependence upon the richer class, and their contact with the blacks had gradually reduced them, intellectually and morally, to a point of which, perhaps, there were few examples in the Anglo-Saxon race. They were as reckless of danger as they were of right, as ready to embark for the fever lakes of Central America as for the sugar fields of Cuba, or the wilds of Kansas, or a campaign against the government of their country.

This was good material for a rebel soldiery; and under the more intelligent lead of the slave owners this revolt was undoubtedly serious and would cost blood. But the result was not doubtful. The disparity of force and resources on the part of the government was too overbalancing to leave the rebels a chance of long prolonging the struggle.

Happily, between the ambitious class of slave owners and the so-called "mean whites," their instruments, there was a middle class in the south, more numerous than the two together, loyal to the Union and the Constitution. These loyal citizens were now held in a state of duress by the violence and intimidation employed by the slave owners and their instruments. His excellency would have noticed that from the beginning to this day the rebels had not obtained the sanction of a popular vote to any of their high acts. Nevertheless this was the only basis of political right known in America. We had no king, no church, no aristocracy, no other political guarantee or sanction in our nation than the will of the people fairly expressed. None of the so-called ordinances separating States from the Union had been ratified by the people of those States themselves; nor had the pretended new confederation of those States, nor the formation of a constitution and government for the so-called Confederate States, nor any other of the high acts pretended to have been accomplished in the name of the people of certain States, ever received their sanction or concurrence. The majority was against such proceedings in the southern States themselves. The whole was the work of a party which, by violence, was imposing its action upon those States.

Leaving out of view the question whether a State might or might not secede from the United States by its own will, really up to this time no such will had been manifested. The pretended acts of sovereignty exercised by those States in fact were not the acts of those States, but simply the acts of a party which shows itself a minority in those States.

They were hollow, they lacked the only sanction which could give them substance.

And the appearance of a confederate government set up by the faction operating in the south was an appearance only—convenient for their own purposes, but having no condition entitling it to the consideration of foreign States.

Without the sanction of the people it was a pretence and no reality. I mentioned the example of the court, or appearance of a court, set up by Don Carlos in the northern provinces of Spain not many years since, and asked Mr. Calderon whether that was a government either *de jure* or *de facto;* and yet Don Carlos and his rebel army and sympathizers held a large district for a considerable period subject to their duress.

Thus the appearance set up in our southern States was no government either *de jure* or *de facto.* It was at best a transitory form of violence, a phase of anarchy, a thing which could endure only whilst the violence might endure which had produced and still maintained it. But, aside from this violence, there was no political guarantee in Mr. Davis, nor in his followers, nor in the class from which they spring. Up to this time they had been unrestrained, and their demonstrations completely unchecked, by any show of force on the part of the government; but now it had been found necessary to display the power of the Union, and our forces were preparing by land and sea to quell this sedition and release the loyal people of the southern States from the duress of this rebel faction.

Much more was said, and questions asked and answered, which it is hardly necessary to repeat.

The result of this interview, I am happy to say, may be regarded by the President as decisive in regard to Spain. Much had been done previously, but it was brought to a termination yesterday.

The minister of state not only renewed to me the assurance given to Mr. Preston, but amplified it, stating absolutely that if any commissioners or other negotiators should appear in behalf of the so-called Confederate States, the government would not see them nor recognize them in any capacity; that Spain would have nothing to do with the rebel party in the United States in any sense.

I might write this to my government, and say besides that her Majesty's first secretary of state had promised me that within a few days, as soon as it could be declared, a decree would be issued by this government prohibiting all Spaniards from taking service on either side, and ordering all the subjects of Spain to maintain complete neutrality in the contest now begun in the United States; that she would prohibit the entrance of southern privateers into any of her ports, peninsular and colonial, and prohibit the furnishing of any supplies to the rebels, whether arms, provisions, coals, ships, or any other merchandise which might aid in their revolt against the government of the Union. Armed ships, with their prizes, would not be permitted to enter her ports. Spanish subjects would be forbidden to accept any letter of marque or other such document, or serve on board of any privateer; and no fitting out of vessels for the purpose of taking part in hostilities against the United States could be permitted, but impeded with vigor and severity.

I have again seen Mr. Calderon to-day, and he informed me that, in pursuance of these declarations, he had just come from a council of ministers, where he had been occupied with this business, and that the decree would appear in two or three days at most, and that he would also write to Señor Tassara, her Majesty's representative in Washington, to make you the same announcement on the part of his government.

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With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. Wm. H. Seward, *Secretary of State.*

Mr. Perry to Mr. Seward.

No. 7.]

Legation of the United States,
Madrid, June 19, 1861.

Sir: I have the honor to enclose the royal decree, published by the official gazette this morning, with its translation, (explained in No. 6.)

The minister of state has to-day, whilst acknowledging that its provisions are in great part taken from the French decree, drawn my attention to the fact that he has avoided the use of the expression *belligerents* as far as possible, or any other which could be considered as prejudging the question of right in any manner.

He also drew my attention to the fact that, though the decree proclaims neutrality, it expressly prohibits any supplies to be furnished to privateers in the Spanish ports, whilst vessels-of-war may be provided and equipped with all they need; and this provision tells exclusively against the party issuing letters of marque.

The preamble also is less objectionable than some other documents which have seen the light in Europe.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. Wm. H. Seward, *Secretary of State.*

[Translation.]

MINISTRY OF STATE.—ROYAL DECREE.

Taking into consideration the relations which exist between Spain and the United States of America, and the desirability that the reciprocal sentiments of good intelligence should not be changed by reason of the grave events which have taken place in that republic, I have resolved to maintain the most strict neutrality in the contest begun between the federal States of the Union and the States confederated at the south; and in order to avoid the damage which might come to my subjects and to navigation, and to commerce, from the want of clear provisions to which to adjust their conduct in consonance with my council of ministers, I do decree the following:

Article 1. It is forbidden in all the ports of the monarchy to arm, provide, or equip any privateer vessel, whatever may be the flag she displays.

Art. 2. It is forbidden in like manner to the owners, masters, or captains of merchant vessels to accept letters of marque, or contribute in any way whatsoever to the armanent or equipment of vessels-of-war or privateers.

Art. 3. It is forbidden to vessels-of-war or privateers with their prizes to enter or to remain for more than twenty-four hours in the ports of the monarchy, except in case of stress of weather. Whenever this last shall occur, the authorities will keep watch over the vessel and oblige her to get out to sea the soonest possible without permitting her to take in any stores except the purely necessary for the moment, but in no case arms nor supplies for war.

Art. 4. Articles proceeding from prizes shall not be sold in the ports of the monarchy.

Art. 5. The transportation under the Spanish flag of all articles of commerce is guaranteed, except when they are directed to blockaded ports. The transportation of effects of war is forbidden, as well as the carrying of papers or communications for belligerents. Transgressors shall be responsible for their acts, and shall have no right to the protection of my government.

Art. 6. It is forbidden to all Spaniards to enlist in the belligerent armies or take service on board of vessels-of-war or privateers.

Art. 7. My subjects will abstain from every act which, in violation of the laws of the kingdom, can be considered as contrary to neutrality.

Art. 8. Those who violate the foregoing provisions shall have no right to the protection of my government, shall suffer the consequences of the measures which the belligerents may dictate, and shall be punished according to the laws of Spain.

Palace, on the seventeenth of June, one thousand eight hundred and sixty-one.

SIGNED WITH THE ROYAL HAND.

The minister of state,

SATURNINO CALDERON COLLANTES.

Mr. Seward to Mr. Schurz.

No. 6.]

Department of State,
Washington, June 22, 1861.

Sir: I send you an extract of a letter from Mr. Sanford, our minister at Belgium.

You will perceive, at once, how important it is that the Spanish government shall prevent the fitting out or departure of privateers from its friendly ports. We do not doubt your activity. You will need to see that our consuls in Spain are watchful and active.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Carl Schurz, Esq., *&c., &c., &c., Madrid.*

No. 13.] *Mr. Perry to Mr. Seward.*

Legation of the United States,
Madrid, July 12, 1861.

Sir: I have been prevented, by my recent illness and the pressure of affairs, from communicating to you till this moment the import of various conversations which I had with Mr. Calderon Collantes, minister of state, previous to entering the protest of June 19, upon the subject of the commercial relations of the two countries and the West Indian colonies.

I confess this subject has been a favorite with me ever since I succeeded, in 1854, in inducing the Spanish government to consent to negotiate with me for the conclusion of a commercial treaty upon the liberal and advantageous basis of the eleven articles then drawn up and sent to the State Department, accompanied with this offer on the ——— September of that year.

On entering again upon the discharge of the duties of this legation, I took an early opportunity, therefore, to sound the dispositions of the present minister of state on this subject, as well as the feeling of other officers and personages influential in this government.

In no quarter has the idea of arranging the commercial intercourse of the two countries upon a more liberal basis been repelled. The minister of state told me, without hesitation, that he would enter with me upon the work of negotiating a treaty for this purpose readily, and with the idea that we should find no great difficulty in bringing it to a successful conclusion.

I mentioned, especially, the subject of the Cuban flour duties, and received the reply, now as in years before, that these would be yielded by Spain, and the Spanish colonial market thrown open to the introduction of our grains and provisions of all kinds.

Some compensation, or show of compensation, to the Castilian wheat-growers may be asked in the form of a reduction of our duties on the cheap wines of Castile; and whilst I see no great objection to such an arrangement, I am, at the same time, persuaded that practically it would amount to little in its effects either upon our revenue or upon the agricultural interests of Castile.

The motive of these conversations was to assure myself, for your information, what were the present wishes and dispositions of the Spanish government on this subject, prior to that coolness in our relations which must follow the presentation of the protest of June 19. I repeat, I have found these dispositions, now as heretofore, entirely favorable to the object mentioned, and I could have undertaken to carry a negotiation on this subject to a conclusion satisfactory to you, and highly advantageous to our people interested in the trade with the Spanish colonies.

As to the convention for the settlement of claims, which was signed by Mr. Preston, the minister of state expressed his regret that it had not received the ratification of the Senate, but had no doubt we should be able to arrange it so as to avoid the objections of that body. Other more pressing affairs induced me not to go much into the matter in the absence of your instructions.

But may I inquire what objection there would be on the part of the present administration, or of the Senate, to such a convention for this purpose, as I had the honor of offering to the acceptance of the administration of President Pierce, in September, 1854, a convention on the model of that concluded with Great Britain in February, 1853, free from especial clauses in reference to any particular claim, and embracing *all* claims by citizens or subjects of either country on the government of the other, without designation nor exception of any?

Should any change of circumstances lead you to recur to this subject, it will perhaps be useful to know that such an arrangement can be made.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State.

Mr. Schurz to Mr. Seward.

[Extracts.]

No. 2.] LEGATION OF THE UNITED STATES,
Madrid, July 15, 1861.

SIR:

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Señor Calderon Collantes then asked me whether the declaration of neutrality on the part of Spain in regard to our domestic troubles was satisfactory to my government. I replied that the government of the United States asked for and expected from foreign powers nothing but to be left to dispose of our domestic controversy as it deemed best As to the declaration of neutrality on the part of Spain, I had received no expression of opinion from my government, and that I thought it would be considered satisfactory.

I then asked Señor Calderon Collantes whether any application had been made to her Majesty's government for the recognition of the so-called Confederate States. He replied that no such application had been made, and that to his knowledge none of the gentlemen said to have come to Europe for that purpose had touched the soil of Spain. He assured me, in addition, that if anything of the kind should occur he would immediately communicate the fact to this legation.

In relation to my presentation to the Queen, Señor Calderon Collantes said that it was uncertain whether her Majesty would be able to receive me previous to her departure for Santander, which was to take place on the 15th instant; but that he would bring the matter before a meeting of the cabinet, to be held the same evening, and advise me in due time of their decision. He requested me, at the same time, to communicate to him the draft of the speech which I intended to deliver at the reception.

In the course of the night Mr. Perry was advised that her Majesty would be pleased to receive me the next day, at 9.30 o'clock p. m.

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At the appointed hour I was received by her Majesty. I have the pleasure to annex a copy of the speech I delivered in presenting my letter of credence, as well as her Majesty's answer.

Last night there was a general reception by the Queen and the King consort of the diplomatic corps, which I attended, accompanied by Mr. Perry. I may mention that on both occasions I was, contrary to the rules of court etiquette, admitted in a plain citizen's dress, the shortness of the time not having permitted me to prepare a proper court costume.

I cannot close this despatch without expressing my sincere gratification at the manner in which Mr. Perry had prepared for my reception here, and the many obliging attentions he has shown me since. Although my acquaintance with him is of but three days standing, yet I have no doubt our official and social intercourse will be of the most cordial nature.

I am, sir, your obedient servant, &c., &c.,

C. SCHURZ.

Hon. WM. H. SEWARD,
Secretary of State, Washington, D. C.

Copy of the speech of Mr. Schurz.

MADAM: In appearing before your Majesty as envoy extraordinary and minister plenipotentiary of the United States of America, I regard it as my most agreeable duty to communicate to your Majesty the friendly feelings which the President of the United States and the American nation entertain towards your Majesty and the people of Spain.

I beg leave to assure your Majesty that, for the purpose of maintaining amicable relations with the government of your Majesty, as far as may be consistent with the dignity and legitimate interests of the United States, the President could not have selected a more willing instrument than myself.

I have now the honor to place into your Majesty's hands the letter of credence confided to me by the President, and of presenting my best wishes for the health of your Majesty and the royal family, and for the prosperity of the Spanish nation.

Reply of the Queen to Mr. Schurz.

[Translation.]

MR. MINISTER: With true satisfaction I receive the letter which accredits you as envoy extraordinary and minister plenipotentiary of the United States of America in my court, and appreciate most highly the assurances which you give me of the sentiments of friendship which animate the President and those States towards my person and the Spanish people.

I take a lively interest in the prosperity of the nation which you come to represent, and cherish the hope that its relations with Spain will always be maintained in such a way as to satisfy the dignity and interests of both peoples.

I do not doubt that you will contribute with your enlightenment to this object, and that your comportment will make you worthy of the estimation of my government.

I am much gratified, Mr. Minister, with the wishes you express for my felicity, for that of my family, and for the prosperity of the Spanish nation.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, July 15, 1861.

The undersigned, Secretary of State, has the honor of addressing Mr. Tassara on the subject of certain vessels belonging to citizens of the United States now, or lately, detained at the port of Cienfuegos, in the Island of Cuba.

Information has been received at this department that a piratical armed steamer called Sumter, on the 6th July instant, entered that port with seven vessels belonging to citizens of the United States, which she had captured, with their officers, and also the officers and seamen of another such vessel which she had captured and burned on the high seas. The department is further informed that the Sumter was, on that occasion, manned by a full complement of seamen, marines, officers, and firemen; that she carried an armament of five or eight heavy guns, and that thus manned and armed the vessel was supplied with coal and water at Cienfuegos, and was allowed to depart on the same day to a destination unknown.

The undersigned is further informed that the captured vessels were detained in the port of Cienfuegos, and that their crews, together with that of the vessel which had been burned, were set at liberty.

It is the duty of the undersigned to bring this extraordinary transaction to the notice of the Spanish government. This government will cheerfully receive any explanations of it which the Spanish government may feel itself at liberty to give. But in the meantime, assuming the facts to be correctly presented as they are above stated, the undersigned is instructed by the President of the United States to inform the Spanish government that he deems the admittance of the said piratical vessel, the Sumter, into the port of Cienfuegos, with the captured vessels and crews before described, her supply there with coal and water, and her permitted departure, to have been in violation of the treaties existing between this government and Spain, as well as of the law of nations; and this government, in this view, will expect the immediate release and discharge of the captured vessels and their cargoes. Reserving the subject of indemnity for the injury inflicted upon the United States by the transaction, as recited, until time for explanation shall have been afforded, the undersigned is nevertheless instructed to ask at once that her Catholic Majesty's government will take effective measures to prevent the recurrence of transactions in the ports of Spain of the kind now in question, which are not more injurious to the commerce of the United States than toward that of Spain herself and of all other commercial nations.

The undersigned is induced to believe that those requests will not only meet prompt attention, but will even be answered in a manner satisfactory to the United States. This belief is founded on these facts: first, a correspondence which has taken place between the consul general of the United States and his excellency the governor general of the Island of Cuba relating to the subject has been submitted to this department, in which correspondence the governor general announces that he has been left without the aid of instructions in the matter, and that he shall abide the directions of his government, in the meantime taking your advice in the premises. Further, this government has been advised by a communication from Mr. Perry, lately acting as chargé d'affaires at Madrid, under date of the 13th of June last, that he was directed by the Spanish government to inform the government of the United States that Spain would prohibit the entrance of southern privateers into any of her ports, peninsular or colonial, and would also prohibit the furnishing of any supplies to the rebels, whether arms, provisions, coals, ships, or any other merchandise, and that armed vessels, with their prizes, would not be permitted to enter the ports of Spain. Moreover, the same mail which brought the information of this transaction, brought also a despatch from Mr. Perry, containing later assurances received from the government of Spain similar to those already recited, together with an official copy of a royal decree of the 15th June, giving legal effect to the promises thus so repeatedly made.

In specifying these particular grounds of confidence for an expectation of a satisfactory disposition of the subject of this communication, the undersigned is by no means to be regarded as excluding the more general assurances of amity and friendship which have been lately exchanged between the two governments, or their habits of good faith and reciprocal justice which have been confirmed by an almost unbroken experience of two-thirds of a century.

In order to elucidate the subject of this note, the undersigned causes to be annexed thereto a copy of some of the official communications to which allusion has been made, and especially the correspondence between his excellency the governor general of Cuba and the consul general of the United States in that island, and the recent communication from Mr. Perry, together with a copy of the royal decree to which reference has been made.

The undersigned avails himself of this occasion to offer to Mr. Tassara renewed assurances of his high consideration.

WILLIAM H. SEWARD.

Señor Don Gabriel Garcia y Tassara, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Schurz.

No. 14.]

Department of State,
Washington, July 20, 1861.

Sir: I send you copies of a correspondence which has taken place between this government and Mr. Tassara respecting the detention of several American vessels at Cienfuegos, which were carried into that port by the privateer Sumter, with copies of documents which illustrate the subject.

I regret very much that the captain general did not assume responsibility to deliver up the vessels, and that Mr. Tassara also declined it. It must be apparent that the entire commerce of Spain, as well as that of this country, is exposed to serious embarrassment if her Catholic Majesty's government, under whatever view of the subject, suffers privateers to find shelter, or supplies, or favor.

This government does not doubt that the Spanish government will promptly direct the release of the vessels, with their cargoes.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Carl Schurz, Esq., *&c.*, *&c.*, *&c.*, *Madrid.*

Mr. Schurz to Mr. Seward.

No. 5.]

Legation of the United States,
Madrid, July 22, 1861.

Sir: I have the honor to enclose a copy of the royal order of the 16th of May last, addressed to the captain general of Cuba, and published in the Gazette of the Havana on the 16th June, just published in the official Gazette of Madrid.

It provides that, during the fourteen months after its publication at the Havana, all hard biscuit should be admitted free of duty in Cuba, no matter whence it come; and also the duties on Indian corn, and Indian meal and flour, potatoes, and beans, should be reduced one-half during the same period.

I suppose your attention will have been drawn to this order by the consul of the United States at Havana, and its provisions published for the benefit of our commerce.

It is another indication confirmatory of what has been said by Mr. Perry, in his despatch No. 13, and by myself, in my No. 3, of 18th instant, as to the apparent disposition of the Spanish government to listen favorably to any propositions for a change in the restrictive system of duties upon our commerce with their colonies.

With the highest respect, sir, your obedient servant,

C. SCHURZ.

Hon. William H. Seward,
Secretary of State.

Mr. Schurz to Mr. Seward.

[Extract.]

No. 6.]

Legation of the United States,
Madrid, August 5, 1861.

Sir: I have the honor to acknowledge the receipt of your despatches Nos. 10, 11, 12, and 13. The exequatur for Mr. Little has immediately been applied for.

In pursuance of the instruction contained in your despatch No. 11, I addressed a note to Señor Calderon Collantes, a copy of which is hereto annexed, (No. 1.) I would have solicited an interview with the secretary for the purpose of expressing to him the satisfaction with which the proclamation of the Queen was received by the President, had he not been absent from the capital. In my despatch No. 2 I informed you that on Monday, July 15, the second day after my reception, the Queen left Madrid for Santander, and that the secretary for foreign affairs accompanied her. Sandander not being one of the regular summer residences of the Queen, the diplomatic corps remained here, with the exception of a very few members who were specially invited to join the court, probably for the purpose of discussing Neapolitan affairs. It is for this reason that I have not seen Señor Calderon Collantes since the day of my reception by the Queen. Having no business on hand which called for immediate action, I deemed it prudent to follow the example of the rest of the diplomatic corps.

The court will leave Santander on the 13th instant, and then either spend a few days at Madrid, or go directly to La Granja, where the Queen will be joined by the whole diplomatic corps.

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I am, sir, with high esteem, your obedient servant,

C. SCHURZ.

Hon. William H. Seward,
Secretary of State.

Mr. Schurz to Señor Calderon Collantes.

Legation of the United States,
Madrid, July 31, 1861.

Sir: Yesterday I received a despatch from the Secretary of State of the United States, informing me that the President has read with the greatest satisfaction the proclamation of her Catholic Majesty concerning the unfortunate troubles that have arisen in the United States, and it affords me the sincerest pleasure to express to your excellency the high sense which the

President entertains of her Majesty's prompt decision and friendly action upon this occasion.

In connexion with the fulfilment of this most agreeable duty, I beg leave to call your excellency's attention to the following telegraphic report, contained in the London "Times" of July 27:

"Advices have been received from Havana to the 10th instant. The privateer steamer Sumter had captured eight American ships laden with sugar on the south side of Cuba. One was burnt, and the other seven were taken by prize crews into Cienfuegos. One report states that the captain general of Cuba had released them. Another report asserts that he had detained them in order to refer the matter to Madrid."

In the latter case I trust her Majesty's government will not hesitate to cause the policy laid down in the royal proclamation to be loyally and promptly carried into effect.

I have the honor to remain, with sentiments of distinguished consideration, your excellency's obedient servant,

C. SCHURZ.

His Excellency Don Saturnino Calderon Collantes,
First Secretary of State, &c , &c.

Mr. Seward to Mr. Schurz.

No. 18.]

Department of State,
Washington, August 8, 1861.

Sir: Your despatch of July 15 (No. 2) has been received.

Your conduct in regard to your presentation at court is approved.

Your speech was discreet in its points and felicitous in expression. The Queen's reply is entirely satisfactory.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Carl Schurz, Esq., *&c., &c., &c. Madrid.*

Mr. Tassara to Mr. Seward.

[Translation.]

Legation of Spain at Washington,
Washington, August 9, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has the honor to bring to the knowledge of the honorable Secretary of State of the United States that, according to an official communication of the 28th of July from the captain general of the Island of Cuba, the vessels belonging to citizens of the United States taken into the port of Cienfuegos by the steamer "Sumter" have been set at liberty, the examination of the case proving that they were captured in waters within the jurisdiction of the island, and under unlawful circumstances.

The undersigned avails of this occasion to reiterate to the Hon. William H. Seward the assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. William H. Seward,
Secretary of State of the United States.

Mr. Seward to Mr. Schurz.

No. 21.]

DEPARTMENT OF STATE,
Washington, August 15, 1861.

SIR: Mr. Perry's despatch, No. 13, dated July 12, was delayed, and only came to hand simultaneously with your own despatch (No. 3) of July 18, which relates in part to the same subject, namely, the negotiation of a treaty between the United States and Spain for the liquidation of claims, and for the melioration of the commercial arrangements between the two governments affecting trade with the Spanish West India colonies. My answer to your own (No. 3) includes all that it seems necessary to say concerning Mr. Perry's communication first mentioned, except one point. That point I shall now consider. Not only would this government cheerfully enter into a treaty raising a joint commission for the settling of pending claims between the two countries, or between their citizens and subjects, but it deems it essentially important and desirable that all such claims should be put into that very proper channel for settlement. But this government does not regard the so-called Amistad claim as having any valid obligation in law or conscience, and can in no case consent to negotiate upon it. While, therefore, we shall not be critical as to the form of words to be used in describing the claims to be submitted to the proposed joint commission, frankness requires that the exception of that supposed claim shall be expressed, or at least distinctly understood.

I am well aware that this instruction differs radically from admissions and acknowledgments heretofore made by several of the predecessors of the President. Each of them has considered the subject for himself, and pronounced upon it according to his own convictions. The new President, under the same obligation, instructs me to make known to you his disallowance of the claim in question. It were, indeed, to be desired that there should be consistency in the action of the government throughout successive administrations, especially where foreign nations are concerned, but justice and reason cannot be safely compromised by any government, even for the sake of preserving perfect consistency with itself through a series of years, and in its intercourse with foreign states.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., *&c., &c., &c., Madrid.*

Mr. Seward to Mr. Schurz.

No. 23.]

DEPARTMENT OF STATE,
Washington, August 20, 1861.

SIR: Your despatch of the 22d July, No. 5, has been received. The reduction of imposts on certain productions of the United States made by the Spanish government is a favorable step in the right direction, and, as such, will be very gratifying to the people of the United States. Due publicity to the regulation has been given.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Schurz.

No. 26.]

DEPARTMENT OF STATE,
Washington, September 3, 1861.

SIR: Your despatch No. 6, under the date of August 6, has been received. Your note written to Mr. Calderon Collantes on the subject of the reception of the piratical vessel Sumter with her prizes at Cienfuegos was eminently proper and is approved. You are already aware that the governor general of the Island of Cuba has released the prizes. I defer further remark concerning that transaction, if indeed any shall now be necessary, until the answer of the minister of foreign affairs to your note shall have been received.

Your attention to my request concerning certain matters in Paris is highly appreciated.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Schurz.

No. 28.]

DEPARTMENT OF STATE,
Washington, September 5, 1861.

SIR: Your despatch No. 7, dated August 6, has been received. I can very well understand that you were deeply distressed by the first reports of the battle at Bull Run. Those reports grossly exaggerated a disaster which was sufficiently afflicting in its real proportions. The exultation of persons and classes in foreign nations prejudiced against our country and its institutions is one of the penalties we pay for the civil discord into which we have fallen. But even a very limited experience of human nature will enable us to practice the necessary equanimity in such a crisis. Changes of habit and policy are necessary to national growth and progress. We have had little reason to expect that such changes in our case should always be effected without the occurrence of some disorder and violence. Let us be content that the country has virtue enough to pass the ordeal safely, and that when it is passed, our prosperity will be greater and more assured than ever.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq.,
&c., &c., &c., Madrid.

Mr. Seward to Mr. Schurz, with accompaniments.

No. 30.]

DEPARTMENT OF STATE,
Washington, September 18, 1861.

SIR: I write this despatch with a view that you shall ask permission of Mr. Calderon Collantes to read it to him, and if he shall be disposed to receive it you will deliver a copy of it to him.

I think that the Spanish government can entertain no doubt that the United States earnestly and even anxiously desire to avert, if possible, any such alienation as might lead to a conflict between the two countries as an episode in the civil war which is unhappily prevailing at the present moment in the southern part of the republic. I am perfectly satisfied that the Spanish government is animated by the same desire: Upon this point I speak sincerely and upon full consideration. I am not equally confident, however, that the consuls of the United States in the Island of Cuba will always, in the absence of special instructions for unforeseen contingencies, exercise the discretion which the interests of our country require.

The government of the United States is not to be misunderstood as fearing to encounter the intervention of Spain in favor of the insurgents of this country, if her Catholic Majesty's sentiments and purposes have been misconstrued. We are aware, we think, of all the perils of our situation, and have not overlooked the not unnatural one of foreign alliances with our disloyal citizens.

The valuable commerce carried on between the United States and the Island of Cuba is often attended with incidents which require the exercise of great discretion and of mutual forbearance to prevent collisions between the consular authority of the United States, allowed by treaties and the law of nations, and the just sovereign authority of Spain.

I desire to state, in a spirit of perfect frankness, what deviation from the usages of revenue and commerce between sovereign states, as recognized by treaty and international law, this government tolerates in the transaction of American commerce in the ports of Cuba, and in all other foreign ports.

When an American merchant vessel arrives in a foreign port, having cleared from a port in the United States which, at the time of her departure, was in the possession of the insurgents, and for that reason she could not have obtained regular papers from officers acting under the authority of the United States, and conformable to the laws of Congress, this government does not insist that she shall be denationalized for that reason. But, on the other hand, it does expect that she shall, in the port where she arrives, be treated in all respects as an American vessel and subject to the consular authority of the United States, and that she shall not be treated as a vessel independent of the laws and consular authority of this nation.

The waiving of the irregularity of the papers in such cases is consented to *ex necessitate*, and for the present time only, and is not to be drawn into precedent. But when this government shall see fit to withdraw this concession, due notice will be given to foreign powers.

I send you copies of papers which have just been received from the vice-consul general of the United States residing in Havana, namely, despatches Nos. 56 and 60, dated the 6th and 10 instant, respectively, with their accompaniments.

These papers furnish some ground to apprehend that the Spanish authorities in Cuba, misinterpreting, as I am happy to think, the royal edict of the 17th of June, are practicing, or are about to practice, upon the principles of recognizing an insurgent flag upon American vessels, and denying the consular rights and privileges of the United States in reference to such insurgent vessels in Spanish ports.

I forbear from preferring any complaint concerning the cases mentioned in these papers, partly for the reason that the transactions mentioned therein are incompletely presented, and more for the reason that I am seeking the prevention of future difficulties by the government of Spain in an amicable spirit. I neither make nor ask explanations in these cases. But I desire that Mr. Calderon Collantes will examine the papers, and, after having satisfied himself of the true state of the case, will give such directions, if he shall find it necessary to do so, to the colonial authorities as will prevent any recognition whatever in the Spanish ports of the flag of the insurgents, or any disrespect to the flag of the United States, by the Spanish authorities, or any infraction of their consular authority in those ports.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., *&c., &c., Madrid.*

OCTOBER 4.

P. S.—The unavoidable delay which has taken place in the preparation of the accompaniments of this instruction has enabled me to add the transcript of another despatch from the vice-consul general of the United States at Havana, received at the department on the 1st instant, and dated on the 24th ultimo, (No. 63,) relating to the ship "Bamberg" and brig "Allen A. Chapman."

Mr. Savage to Mr. Seward.

No. 56.] CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Havana, September 6, 1861.

SIR: Having learned, on the 30th ultimo, as I might say accidentally, that a vessel had come, several days before, into the port of Matanzas under the flag of the so-called Confederate States, and, notwithstanding the efforts of our consul there to prevent it, had been admitted by the authorities to entry, and to discharge her cargo, which course had been approved of by the superior authority of the island, I addressed the same day a letter to Mr. Martin, calling upon him for information on the subject. No reply having been received on the 2d instant to my letter, I wrote again, and yesterday morning his answer came to hand. A copy of it and the accompanying papers are herewith enclosed. This correspondence contains all the facts relating to that case.

On the same day that I wrote my first letter to Consul Martin I ascertained that the governor general had decided to admit into the ports of the island all vessels arriving under the flag of the insurgents, and to allow them to discharge and take cargo. On the next day I succeeded in obtaining a copy, and it is now accompanied with a translation thereof. This order was transmitted by the intendant general of the army and treasury to the collector general of the maritime revenue; has not been published nor communicated to me in any form; and, although its existence is known to many, the public journals, excepting the Weekly Report in a general way, have not even mentioned it.

In a matter of such import, and feeling the conviction that no suggestions of this office would cause the captain general to cancel that order, I have deemed it expedient not to enter into any correspondence or discussion with him without specific instructions from the department; more especially after reading what Mr. Wheaton advances upon the subject, in pages 32, 33, and 34, Elements of International Law. Moreover, as the Spanish government has always denied to consuls any diplomatic power, I felt apprehensive that my first communication on the subject would be unheeded, or acknowledged with the remarks that the question comes within the province of our respective governments, and to be settled at Washington or Madrid.

I have the honor to be, sir, with great respect, your obedient servant,

THOS. SAVAGE, Jr.,
U. S Vice-Consul General.

Hon. Wm. H. Seward,
Secretary of State of the United States, Washington.

His excellency the superior civil governor has, on date of 27th instant, resolved the following:

1st. All merchant vessels proceeding from and wearing the flag of the southern confederacy, employed in legitimate commerce, will be admitted in all the ports of entry of this island, if the documents they may present do not cause the slightest suspicion of piracy, fraud, or any other crime punishable according to the laws of all nations.

2d. Once in our ports, said vessels will be under the safeguard of the neutrality proclaimed by the government of her Majesty the Queen (whom God save) in the royal decree of the 17th of June, and in this understanding they cannot be molested by any foreign agent whilst engaged in their licit operations of entrance and discharge, loading and departure, in said ports.

3d. Therefore, all the civil, as well as naval and treasury, authorities in the ports of this island will consider such vessels, in relation to their admission and clearance, as vessels proceeding from a foreign nation which has no accredited consul in this territory.

Which, by order of the intendant general, I communicate to you for your intelligence and fulfilment of the part that concerns you.

Mr. Savage to Mr. Seward.

No. 60.] Consulate General United States of America at Havana,
September 10, 1861.

Sir: I have the honor to lay before you copies of correspondence between this consulate and various authorities respecting the ship *Bamberg* and brig *Allen A. Chapman.* By reference to the communications that passed between the commercial court and myself, you will see that I objected to any interference on the part of that court against the action taken by this consulate in respect to the Bamberg. I have learned that on receipt of my letter the court cancelled the order it had issued granting permission for the survey and discharge of the ship, and has referred the matter to the governor general.

But on Sunday, the 1st instant, both the "Bamberg" and "A. A. Chapman," by preconcerted design, prompted by the governor general's order in relation to vessels arriving in open ports of the island under the flag of the so-called Confederate States, put up rebel flags at their fore and main mastheads. The A. A. Chapman had the rebel flag of the southern confederacy at the fore, and the flag adopted by Louisiana after she seceded from the Union at the main masthead, the American colors hanging from a rope at the stern. The Bamberg had the so-called Louisiana flag at the main masthead, the American at the peak. I consider the so-called flag of Louisiana to be an emblem of rebellion.

My correspondence with the captain general and captain of the port will show the course I have deemed proper to adopt, and I trust it will meet with your approbation.

I have no answer as yet from the governor general. He has probably referred the case for consultation before adopting a decision to communicate to this consulate.

I have the honor to be, sir, with profound respect, your obedient servant,

THOMAS SAVAGE, Jr.,
Vice-Consul General

Hon. William H. Seward,
Secretary of State of the United States, Washington.

N. B.—I accompany also registers and crew-lists of the Bamberg and A. A. Chapman.

THOMAS SAVAGE.

Consulate General of the United States of America at Havana,
September 1, 1861.

Sir: In the month of May last this consulate caused to be posted in the most conspicuous places frequented by American shipmasters the following notice:

"As the President of the United States has officially declared that certain States of the Union are in a condition of open rebellion against the government, and as in time of war *treason consists in giving aid and comfort to the enemy,* therefore I have to inform all masters of American vessels in the port of Havana that this consulate cannot give protection to any vessel claiming to be an American which hoists the rebel flag on any part thereof."

After some demurring on the part of three or four vessels that were at the time lying in this port, the practice of hoisting rebellious flags was discontinued, and the consulate entertained the hope that thereafter no case would occur requiring the enforcement of that notice. But in consequence of an order reported to have been issued recently by your excellency to the collectors of customs and authorities of the island, in respect to vessels that may arrive in her ports bearing the flag of the so-called Confederate States, that offensive practice has been revived to-day by the ship *Bamberg,* James E. Wilner master, and brigantine *Allen A. Chapman,* A. P. Laurent master. Both of these vessels are in this port under registers of the United States of America, and have been hitherto enjoying the protection of our government.

Under the present circumstances, and in obedience to the general instructions of my government, I deem it my duty to withhold from the two vessels above named the protection of the United States, consequently to forbid their using in future the flag of the United States of America. Their papers, evidencing their former American nationality, which are deposited in my office, will be forwarded by me to the government of the United States by the first conveyance.

Consequently, as no connexion can from this day forth exist between those vessels and this consulate, I hereby respectfully request of your excellency to make the above determination known to the masters thereof; and inasmuch as the crews of those vessels have become entitled to their discharge, and to be paid at the office of this consulate the wages and extra wages described by law, I have furthermore to request of your excellency that you will cause the said crews or such part thereof as may be yet attached to the vessels to be notified of this their right, and the payment of the wages that may accrue to each person to be enforced.

In calling on your excellency for this assistance, I trust that I am asking nothing incompatible with the strictest rules of propriety.

By a prompt attention to the subject-matter of this communication, and an early reply thereto, you will confer a favor on the undersigned, who has the honor to remain, with considerations of great respect and esteem, your excellency's obedient servant,

THOMAS SAVAGE,
In charge of the Consulate General.

His Excellency the GOVERNOR, CAPTAIN GENERAL OF CUBA, *&c., &c., &c.*

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,
September 7, 1861.

SIR: Not having been as yet favored with an answer to the official letter I had the honor to address your excellency on the 1st instant, in relation to the ship Bamberg and brigantine Allen A. Chapman, I have now respectfully to advise that as to-morrow is Sunday, when all vessels in the harbor are bound, according to the port regulations, to hoist and keep up during the day their national colors, and those vessels will probably show their national colors at the peak, I shall be constrained, in this event, to call upon his excellency the brigadier captain of the port, and request him to cause the said flag to be hauled down. I beg leave to repeat that the said vessels, by the act of their commanders in hoisting rebellious flags at the fore and main mastheads, have forfeited their American nationality, and consequently cannot be permitted to wear the flag of the United States of America.

I avail myself of this occasion to renew to your excellency the assurances of respect and consideration with which I am your obedient servant,

THOS. SAVAGE,
In charge of Consulate General.

His Excellency the GOVERNOR, CAPTAIN GENERAL OF CUBA, *&c., &c., &c.*

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,
September 8, 1861.

MY DEAR SIR, AND OF ALL MY CONSIDERATION: For the reasons set forth to his excellency the superior civil governor and captain general of this island in my communications of the 1st and 7th instant, I have deemed it proper to withhold from the ship *Bamberg* and brigantine *Allen A. Chapman* the protection of the United States flag, not recognizing them as American vessels any longer. As the said vessels have our flag hoisted, I find myself in the necessity of soliciting of your excellency to order that the same be immediately hauled down. And as I must transmit to my government by the steamer Columbia, which is to sail on the 10th, the papers of the said vessels, including the roll, I request of your excellency to place that of each of them at my disposal for the purpose. I will on my part furnish your office with authenticated copies, that it may possess the requisite evidence respecting the crews of both vessels.

I have much pleasure in repeating myself your very obedient servant,

THOS. SAVAGE,
In charge of the Consulate General.

His Excellency the Brigadier Captain *of this port.*

Note.—A notice came on the same day from the captain of the port's office, advising that he was absent, and no action could be taken but by himself.

(Translation.)

Molinos,
Captain General's country residence, September 8, 1861.

Sir: An accident, of those which are so apt to occur in public offices that have so much business as those of this government, has been the cause of the mislaying, without being able to find it, of your communication of the 1st instant relative to the ship "Bamberg" and brig "Allen A. Chapman." To avoid, therefore, greater delay in answering it, his excellency directs me to ask you to reproduce it, with the assurance that immediately you do it you will receive a reply thereto, and also to the other representation which you make in your second letter of the 7th.

With this motive, I have the honor of offering to you the assurance of consideration with which I am, very respectfully, your obedient servant,

ANSELMO DE VILLAESCUSA,
First Chief of Bureau, in the office of the
Secretary of the Superior Civil Government.

Thomas Savage, Esq.

Note.—The above, although appearing in the shape of a private letter, came under the seal of the superior government of Cuba.

[Translation.]

[seal.] Captaincy of the Port of Havana.

I have received your polite communication of yesterday's date, in which you are pleased to state to me that for the reasons you have thought proper to lay before his excellency the superior civil governor, captain general of this island, in communications of the 1st and 7th instant, and that I am ignorant of, you have deemed it expedient to withhold from the ship *Bamberg* and brig *A. A. Chapman* the protection of the United States flag, not recognizing them as American vessels any longer.

The said vessels hoisted on yesterday the flag of the United States, because they appear at this office as such. And as it is ordained in the port regulations that all vessels therein hoist their respective flags, the Bamberg and A. A. Chapman put up the American, under which they entered the port, and appearing as American.

I felt great regret that I could not make them haul down their flag as you requested me on yesterday, owing to the lateness of the time in which I received your attentive letter, inasmuch as the masters of those vessels having asked of me on the preceding day (Saturday) to let them know what flag they had to put up on Sunday. I told them clearly that they had to hoist the American, being the only one they could put up, as being the same they had entered with, as evidenced in this office to the present time they are such vessels of the United States.

I have the honor of enclosing the crew lists of said vessels that you call for, hoping that you will please furnish certified copies thereof for record in this office. You will at the same time be pleased to inform me in what situation the said vessels remain after protection has been taken from them by the consulate of your worthy charge.

I have great satisfaction in offering to you the respects of the highest consideration.

God preserve you many years.

BLAS G. DE QUESADA.

HAVANA, *September* 9, 1861.

The CONSUL GENERAL *of the United States.*

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA AT HAVANA,
September 10, 1861.

SIR: I had the honor to receive on yesterday your excellency's polite communication of the same date, in answer to mine of last Sunday, requesting you to cause the ship Bamberg and brig A. A. Chapman to haul down the American colors which they were flying.

The reason why those vessels have forfeited the protection of the United States under which they entered this port is, that their commanders on the previous Sunday hoisted rebellious flags at their fore and main mast heads, thereby showing their hostility to the government whose protection they had been enjoying and whose flag covered them.

In the first part of May last this consulate gave notice that it could not give protection to any vessel claiming to be American which hoisted the rebel flag, *or any part thereof.* This was made known to the government of the United States, who approved of it, directing the consulate not to recognize as vessels of the United States any that hoisted any other flag but that prescribed by law.

The masters of the "Bamberg" and "Allen A. Chapman" cannot allege ignorance ; they deliberately disregarded the warning given them, and now must abide the consequences of their act ; and having no longer the right to wear the American, they must remain without any flag to cover them, for I do not see that they are at liberty to use the colors of any other nation, being unprovided with the requisite papers.

By the United States registers, which the said vessels had been sailing under, the Bamberg is owned by—

Mr. Henry V. Baxter	10-32	Of New Orleans.
Mr. James C. Wilner, (master)	2-32	
Mr. Charles Sagory	10-32	
Mr E. M. Brown	4-32	
Mr. P. Pages	2-32	
Mr. Conrad Charles Maletta	2-32	Of New York.
Mr. William Tyson	2-32	

The Allen A. Chapman is wholly owned by Mr. Stanislas Plassan, of New Orleans.

I transmit herewith certified copies of the crew lists of both vessels for the purposes of your office; and regretting the trouble I have caused you with this annoying affair, I renew the assurances of respect and esteem with which I am your excellency's obedient servant,

THOS. SAVAGE,
In charge of the Consulate General.

His Excellency Brigadier Don Blas G. de Quesada,
Captain of this Port, &c., &c., &c.

No. 63.] Consulate General of the United States of America at Havana,
September 24, 1861.

Sir: The accompanying documents form the captain general's answer to my last communication in respect to the ship "Bamberg" and brig "Allen A. Chapman." I leave the matter now in the hands of the department, trusting that the course I adopted towards those vessels will be considered worthy of your approval.

The captain general advised me that the *Bamberg* is to discharge here. Such articles as armament and munitions of war will be deposited in the government stores, and the rest of the cargo will be entered for consumption. His excellency invited me to attend the inspection of her cargo, but I deemed it my duty to decline the invitation. The ship is now at the wharf. It is credited by many that she has since her arrival discharged arms, which have found their way to the southern ports. Though I have had a species of surveillance, nothing has been discovered; and yet I cannot but believe that arms, &c., have been taken out of her, not from under the hatches, but from places of concealment in the cabin and elsewhere, accessible without taking off the hatches. Such things were, of course, not manifested to this custom-house.

I wrote in my last despatch that Captain Laurent, of the A. A. Chapman, sailed for New Orleans in a French war steamer. I now confirm the report, and add that he took many letters from here. In all probability he will return in the same steamer, bringing powers of attorney for the sale of the "Bamberg" and the "Allen A. Chapman."

F. O. Sullivan finally did not go in command of the *Isilda*. A man named Emmerson, who belonged to the rebel steamer *Sumter*, and was prize mate on the Joseph Maxwell, went in her as master. Hicks, the midshipman of the Sumter, and two other gentlemen, formerly of the United States navy, went as passengers in the Isilda.

The United States schooner Nonpareil arrived here yesterday from Key West, to fetch despatches of the British commodore. No news from there.

I have the honor to be, very respectfully, your obedient servant,

THOS. SAVAGE,
Vice Consul General.

Hon. William H. Seward,
Secretary of State of the United States, Washington.

[Translation.]

GOVERNMENT, CAPTAIN GENERALCY, AND DELEGATED SUPERINTENDENCY OF THE EXCHEQUER OF THE EVER-FAITHFUL ISLAND OF CUBA.

I transmit to you herewith, duly authenticated, a copy of the report made by his excellency the general commanding this naval station, in accordance with the opinion of the legal adviser of the same, upon the subject of the communication of the 13th instant, wherein you were pleased to answer mine of the 12th I fully concur in the opinions given by his excellency and pursuant thereto I address, under this same date, her Catholic Majesty's minister at Washington, in order that, by an understanding with the government, may be fixed, in a precise and definite manner, the course which, in cases analogous to those of the "Bamberg" and "Allan A. Chapman," should be pursued, respectively, by you and by the superior authority of Cuba. Thus barren debates will be avoided, and a course adopted consonant with the loyalty and harmony which this government always uses in the treatment of international affairs.

In the meanwhile I will state to you that, for the purpose of exhibiting practically my desire of acceding as far as possible to your requests, I have made known, confidentially, to the captains that they are not to hoist any more the flag of the United States; and they have pledged to the captain of the port their word of honor not to do it.

This communication should terminate here, inasmuch as I have stated I cannot accede in an official form to what is required by you, without anything else being thereby implied, but that I do not believe the moment has arrived for the aid of jurisdiction that you solicit. But I cannot allow to pass unnoticed two remarks made, respectively, in the communications of the 1st and 13th instants, without setting forth in regard to them my manner of appreciating them. The first is the relation you find between the cases of the "Bamberg" and the "Allan" and the circular, which you say was issued by my authority, to the collectors of customs respecting the toleration towards the flag of the seceded States. I will frankly confess to you that I find no connexion or link between the two subjects. In the first the object is not to injure the interests of our national trade, because you already understand Spain never could have bound herself to discontinue her commercial transactions with the south, whatever may be the state of its internal relations with the north. In the other the matter in question is that you require two vessels to be notified that they shall not use the flag under which they entered the port, which was hitherto, and still is officially, according to the papers they produced, that of their true nationality.

The second remark is that my declining to make the notification called for might be interpreted as a species of opposition to your consular authority. Upon this particular I will make only two observations. One is that you are well aware that in all questions hitherto occurring the government of this island has not spared any means of showing its deference to that of the United States, represented by you; examples of which might be adduced, which I omit, not to make this writing too long. The second is that such opposition could not in any way be supposed, when the subject in question solely is that you yourself wish to cut off vessels which till now have belonged to the United States, and have been by you, in conjunction with your government, denationalized, by the fact of taking their papers from them. I consider as sufficiently answered the observations you make upon the subject, without my entertaining, even remotely, the idea that the consulate could have doubted for a single moment of the good faith of this government, in the same manner that I have not doubted or will ever doubt of that which animates you, whose high qualities in all respects I take pleasure in acknowledging.

God preserve you many years.

F'co SERRANO.

HAVANA, *September* 20, 1861.

The CONSUL GENERAL *of the United States in this city*

[Translation.]

COMMANDANCY GENERAL OF THE HAVANA NAVAL STATION,
Havana, September 15, 1861.

MOST EXCELLENT SIR: The auditor of marine of this station, to whom I referred for his opinion upon your excellency's official letter of yesterday accompanying the new communication in which the consul general of the United States insists on his reclamation relating to the use of the American flag by the ship "Bamberg" and brig "Allan A. Chapman," says to me under this date as follows:

"MOST EXCELLENT SIR: I insist in considering that the aid of jurisdiction which, from the superior authority of the island, the consul of the United States again requires in respect to the ship 'Bamberg' and brig 'Allan' should be based or justified upon the opposition or resistance of the captains of those vessels to the orders and instructions given them directly by the consul himself in the circle of his consular functions. And this not from respect to the principle of neutrality, which has no application nor could be violated in the present case, but because his excellency the governor, captain general, is not the medium of communication between the consul of the United States and the masters of the vessels of his nation, nor has there been committed on board of the ship 'Bamberg' or the brig 'Allan A. Chapman' any act which was a disturbance of order or of the peace of the port, or which has violated the laws of the country—the only case that would justify the officious action of the local authorities against the captains and crews of those vessels. It is very true that every government has the exclusive right of prescribing the flags that their vessels are to use, and *which* they are not to use; but it is also true that the infraction of the laws of a country, while it does not affect others, is only to be proved in the country that made those laws. The ship 'Bamberg' and the brig 'Allan,' as the consul himself states, were received in this port as vessels of his nation duly authorized. Both have hoisted the flags of the United States at the stern, which is the principal place for the national flag; those which are said to be used at the same time at the fore and main mast heads have no official character or signification. If the use of them on any part of a vessel, or for whatever purpose, constitutes a crime in the eyes of the government of the United States, it should be tried before the courts of that nation. Had the consul limited himself to ask that through the captaincy of the port the captain should be ordered not to hoist those flags together with the one that denoted their nationality, he could have easily obtained this proof of deference to the American flag, and of consideration to his government. But in lieu thereof the consul has condemned those vessels to deprivation of their legitimate flag—a penalty which constitutes an indefinite embargo of the same in this port, and a simulated confiscation of the property—a penalty that does not affect the delinquent captains, but the owners and shippers, who may perhaps have no culpability in the proceedings of the former. So summary a proceeding against the property is not in conformity to our usages, and every species of confiscation is forbidden by our laws. For this reason the consul ought not to deem it strange that the superior authority of this island should hesitate to be officious in a foreign affair which is initiated with such grave proceedings on the part of him who has in this place the character of commercial agent to protect and support the interests of the citizens of the United States, and not the severe office of a judge. It is likewise well founded that if there is responsibility involved in the consul's action, it belongs solely to the government of his nation to demand it of him; but for the same reason his and his only should be the responsibility; and the consul should not unnecessarily demand the foreign assistance, as the authority rendering it might find itself involved therein. The apprehension of being disregarded by the captains is not a sufficient reason to justify that assistance, which, being extemporaneous, would have a character of officious and voluntary. As the consul has already referred the solution of this affair to Washington, transmitting the registers of the 'Bamberg' and the 'Allan,' he might await the resolution of his government, which may perhaps save all future difficulty; and to this end it might be expedient that his excellency the governor, captain general, should also, with a copy of all the communications and reports, bring the subject before his excellency the minister of her Catholic Majesty in Washington, in order that his excellency may be posted up for the event of any communication being addressed to him thereupon by that government, or may avail himself of the occasion, should it present itself, of avoiding other reclamations of the same nature from the consul, if he deems it expedient, or considers himself authorized therefor. Notwithstanding all that is stated, your excellency will be pleased to inform his excellency the governor, captain general, what you may deem most proper."

And in conformity with what is above set forth I have the honor of transcribing it to your excellency in answer, returning the two documents that your official letter refers to. God preserve your excellency many years.

Most excellent sir, in the absence of his excellency the commanding general, the 2d in command.

MANUEL SIVILA.

His Excellency THE GOVERNOR,
Captain General of this island.

Mr. Schurz to Mr. Seward.

[Extract.]

No. 27.]

LEGATION OF THE UNITED STATES,
Madrid, October 9, 1861.

SIR:

* * * * * * * * *

After having closed our conversation on the Mexican business, I called Mr. Calderon's attention to a report going through the American and European press that Spain was about to recognize the independence of the Southern Confederacy and to break up the blockade of our southern ports. I added that it was impossible for me to believe that Spain could entertain any such intentions, and inquired whether anything had occurred to give rise to such a rumor.

Mr. Calderon replied with the strongest protestations of good faith and friendship towards the United States. He assured me that nothing could be further from the intentions of her Majesty's government than to depart from the policy indicated in her Majesty's proclamation of neutrality. But, he added, there are things—and, interrupting himself, he asked me whether I had not, within the last two days, received despatches from my government. I answered in the negative. Then he went to his desk and took out a paper, which turned out to be a copy of your despatch (No. 30) addressed to me, bearing date September 18. This despatch, as he said, had been communicated by you to Mr. Tassara, and Mr. Tassara had sent it to him. He handed it to me, and you may well imagine that I was somewhat disagreeably surprised. Instead of my communicating this despatch to him, he communicated it to me, and I found myself obliged to confess that I had not the least official knowledge of a matter to which, according to the contents of the despatch, my government attached the highest importance. Mr. Calderon informed me that he had received the document the day before; that he had at once inquired whether any report had been sent in by the captain general of Cuba; and that, there being none, he was not prepared to give an answer to your despatch. I replied that I would not ask for an answer until I should have received the original of your instructions and the reports of our consular officers on the Island of Cuba; that as soon as I should be in possession of these documents, I would lay them before him, and then discuss the matter with him in all its bearings. He replied that this would be agreeable to him, but that it would be impossible for him to give a definite answer without having heard from the captain general of Cuba.

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I am, sir, with the greatest respect, your obedient servant,

C. SCHURZ.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Mr. Schurz to Mr. Seward.

[Extract.]

No. 30.]

Legation of the United States,
Madrid, October 17, 1861.

Sir: After having waited for the arrival of your despatch No. 30 until yesterday, I deemed it necessary to make an effort to obtain an answer from Mr. Calderon as to the general merits of the case. I therefore called on Mr. Calderon yesterday, and have the honor to transmit a report of our conversation.

I noticed, in the course of that conversation, that Mr. Calderon, although he denied the receipt of official communications from the captain general of Cuba, seemed to be well informed of what had happened there, while I had no other knowledge of the facts referred to in your despatch than a general impression gathered from newspaper statements, which, in this case, had been distressingly indefinite and contradictory.

You will notice that, in my conversation with Mr. Calderon, I confined myself entirely to putting questions, partly because I was ignorant of what actually had happened, and partly because I consider it impolitic, under present circumstances, to join issue with foreign governments on things which may or may not happen. The latter is especially applicable to the case under consideration.

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I am, sir, your obedient servant,

C. SCHURZ.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Memorandum of a conversation between Mr. Calderon Collantes and Mr. Schurz on October 16, 1861.

Mr. Schurz informed Mr. Calderon that the original of Mr. Seward's despatch [No. 30,] a copy of which had been forwarded by Mr. Tassara to him, (Mr. Calderon,) had not reached the American legation, and that he was therefore unable to lay before Mr. Calderon the reports of the consular officers of the United States alluded to in the despatch; but that he considered it important that a matter which was so apt to lead to disagreeable consequences should be promptly disposed of, and that he therefore requested Mr. Calderon to state the views of the Spanish government in a general manner, even if it was impossible, in the absence of special information, to judge of the exact merits of the cases which had occasioned Mr. Seward's despatch.

Mr. Calderon replied that he had received no official communication on this subject from the captain general of Cuba, but that he was prepared to make the following statement:

Spain had followed, in relation to vessels coming from the ports of the so-called Southern Confederacy, the same rules of action which she had adopted in the case of vessels clearing from the ports of the kingdom of the Two Sicilies after the assumption of royal authority in that kingdom by King Victor Emanuel. It was well known that Spain had not recognized the so-called kingdom of Italy, and that the consular agents of King Francis I were still exercising their functions in the Spanish ports. Nevertheless, Spain did not oblige the masters of vessels arriving in Spanish ports from the ports of the kingdom of Naples to submit to the authority of the consuls of Francis I, but permitted them to address themselves either to these or to the consular officers of King Victor Emanuel, as they saw fit. But this permission given to vessels coming from the Neapolitan ports to transact their business with the consuls of Victor Emanuel was by no means intended to imply a recognition of the Italian kingdom; for Spain recognized in the kingdom of the Two Sicilies no other authority as lawful and legitimate than that of King Francis I.

In like manner it was permitted to vessels coming from the ports now under the control of the so-called Confederate States, upon their arrival in Spanish ports, to address themselves to the consular authorities of the United States, if they saw fit to do so; but, as in the case of vessels coming from Neapolitan ports, Spain did not think proper to oblige them to do so. This practice, however, was by no means intended to imply, in any manner, a recognition of the so-called Confederate States as an independent nation.

But in the case of these vessels the action of Spain was still more justifiable than in the case of the Neapolitan vessels. The government of the United States was, with its naval forces, blockading the southern ports, and it was their business to see to it that no vessels should escape from the ports thus guarded. It could not be expected of Spain to supply the deficiencies of the maritime police of the United States, nor was it reasonable to expect that she should turn away from her ports vessels engaged in ordinary peaceful commerce, and which had not been able to obtain regular papers even if they had wanted to do so. Nor could Spain oblige such vessels by force to submit to the authority of the consular officers of the United States. Spain was acting solely with a view to the protection of her commercial interests, and nothing else.

Mr. Schurz replied that the only ground upon which such proceedings could legitimately be placed was that of necessity, and asked Mr. Calderon whether this was the ground taken by the government of Spain.

Mr. Calderon replied that it was. It was nothing but an *ex necessitate* proceeding, and that as soon as that necessity ceased the Spanish government would cease to follow that rule of action.

Mr. Schurz asked whether the Spanish government would admit into its ports vessels without papers regularly issued by the authorities of the United States as soon as the authority of the government of the United States should be re-established in the southern ports.

Mr. Calderon answered that they would not, because then the necessity would cease. But he would not admit the ground taken by Mr. Seward in his despatch, that the admission of vessels without regular papers under the actual state of things depended on a "concession" on the part of the government of the United States, which might be granted or withdrawn at pleasure. The Spanish government claimed a right to adhere to its rule of action as long as the necessity existed. But he protested most emphatically against the construction placed upon this rule as implying a recognition of the so-called Confederate States; the government of Spain did not think of taking such a step and of interrupting the friendly relations existing between the two countries, the preservation of which was undoubtedly considered important by the United States, and had always been sincerely desired by Spain.

Mr. Schurz replied that, as to these peaceful relations, the United States desired to preserve them with equal sincerity, not because they were afraid of a conflict, but because they loved peace. He added that if Spain in this case followed an established policy, founded on precedent, he did not wish to carry the discussion further at present, especially in the absence of all reliable information as to the recent occurrences in the ports of Cuba; but he wished to say that while the United States would set up no unreasonble pretensions, any act on the part of a foreign government which might be justly interpreted as a recognition of the independence of the States now in rebellion against the legitimate government of the North American republic would necessarily and inevitably lead to a rupture.

Mr. Calderon repeated that no such intention was entertained by the government of Spain, which entertained none but friendly feelings towards the United States. He informed Mr. Schurz that he was about to address a despatch on this subject to Mr. Tassara, which the latter would be instructed to read to Mr. Seward.

Mr. Schurz to Mr. Seward.

No. 33.]
LEGATION OF THE UNITED STATES,
Madrid, *October* 20, 1861.

SIR: Last night I called upon Mr. Calderon, for the purpose of reading to him the memorandum of our conversation of the 16th instant. After having suggested some additions, which were forthwith incorporated into the report, he approved it as correct. He informed me that he had meanwhile received an official communication from the captain general of Cuba on the occurrences which had occasioned your despatch No. 30, and that he would read it to me at our next interview. He wanted to prove to me that the Spanish government had acted with entire fairness and loyalty in this transaction. I informed him that the London "Times," of October 16, contained the following telegraphic despatch:

"There are several vessels loading ammunition at Havana for the confederates."

And asked him whether he knew anything of this.

Mr. Calderon exclaimed at once, with great warmth: "That is impossible; it cannot be true. This would be a violation of the royal decree of the 17th of June, and will never be tolerated. General Serrano cannot have permitted this."

I replied that I was happy to hear him express his opinion so unequivocally and emphatically; for it would be impossible for the government of the United States to look on quietly while the Cuban ports were used as war depots for the rebels.

Mr. Calderon assured me repeatedly that this telegraphic despatch would most certainly turn out to be unfounded, and reiterated in very strong language the assurance of the loyal and friendly feelings of the Spanish government towards the United States, and of its firm determination to adhere faithfully to the principles laid down in the royal decree.

I am, sir, with high respect, your obedient servant,

C. SCHURZ.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

Acting Secretary of State to Mr. Schurz.

[Extract.]

No. 46.]

Department of State,
Washington, November 5, 1861.

Sir: Your despatch of September 2 (No. 13) was duly received.

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I am gratified to learn that the public opinion around you is less injurious than formerly. I trust that it is the beginning of a better understanding in Europe of the real character and determination of the American people.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

Carl Schurz, Esq., *&c., &c., &c., Madrid.*

Acting Secretary of State to Mr. Schurz.

No. 47.]

Department of State,
Washington, November 5, 1861.

Sir: Your despatch of September 5 (No. 14) was duly received. It is very interesting, and I deeply regret that, owing to its having been accidentally mislaid, it failed to receive earlier attention.

Spain is engaged in her proceedings against Mexico. The United States are repressing an insurrection which, while it has attained formidable dimensions at home, reveals itself abroad in efforts to instigate foreign intervention. While it would be eminently desirable to make new friends, or at least to fortify existing friendships with foreign nations, the circumstances are so unpropitious as to make us content with averting new misunderstandings and consequent collisions.

You have correctly interpreted to Mr. Calderon Collantes the public sentiment of this country in regard to Spain. We not only seek no controversy with her, but are desirous to stand in the most friendly relations towards her. We are watchful, as we must be, of every fact or circumstance that seems to indicate a disposition on her part to favor or encourage the insurrection with which we are contending. We know our ability to maintain the integrity of the republic, and we intend to maintain it. We desire that when it shall have been completely re-established it shall be found that nothing has been done in the meantime by Spain, or by any foreign nation, to serve as causes for alienation. We are a peaceful state. Indeed, we think that the American Union is the guarantee of peace to the whole world. But like every other state we are jealous of our rights, and must maintain them.

Mr. Calderon Collantes could hardly have a better assurance of our desire for peace with Spain than the fact, which you might communicate to him, that even the unjust and ungenerous strictures of the Spanish press, which so naturally and so justly drew out your remonstrance, failed to excite the least sensibility on the part of this government.

This government neither has now, nor is likely to have, any schemes, or, indeed, any purpose, of conquest or aggrandizement. It seeks to extend its influence throughout this hemisphere and the world, not by the sword, but by commerce and by postal communication. It has practically guaranteed Cuba to Spain for many years heretofore, and it has no design against that possession or any other possession of Spain now; but it will not look with favor upon any policy that shall make that island the fulcrum of a lever for overthrowing either this Union or the institutions of human freedom and self-government which are identified with its existence.

We want a commercial treaty with Spain, and are willing to adopt a liberal principle of reciprocity to secure it; but we shall not urge such a measure now, when both parties are too deeply engaged to consider the matter with the intense attention necessary to a mutual understanding upon points so difficult.

We should be glad to effect a measure for the adjustment of mutual commercial claims, but we cannot admit that the Amistad claim has any foundation in justice or moral right. It is for Spain to refuse to treat with us upon this ground if she thinks it sufficient. We can only regret it, and wait for her to reconsider the subject.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

CARL SCHURZ, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Schurz.

No. 50.]

DEPARTMENT OF STATE,
Washington, November 9, 1861.

SIR: Your despatch of October 20 (No. 33) has been received.

I trust that, with the good disposition manifested by Mr. Calderon Collantes on the occasion you have described, we shall be able to avert serious embarrassments of our affairs in the colonies of Spain.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Schurz.

No 52.]

DEPARTMENT OF STATE,
Washington, November 11, 1861.

SIR: Your despatch of October 17 (No. 30) has been received. I am surprised at the miscarriage of my despatch No. 30. I have, however, directed a copy of it to be sent to you. Mr. Tassara has shown me certain explanations made to him by the captain general of Cuba, and I have in turn modified the opinion which I had formed concerning his action in relation to the matter complained of by the vice-consul general. I do not think it necessary to press the subject of my despatch No. 30 under these circumstances. With the gradual action of the government in restoring its authority at home, I look to see less disposition to treat it with disrespect abroad.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CARL SCHURZ, Esq., *&c., &c., &c.*

ROME.

Mr. Seward to Mr. King.

No. 2.]

Department of State,
Washington, April 29, 1861.

Sir: I am to instruct you what to do, and of course what not to do, as resident minister of the United States at Rome. In order to understand the wishes and expectations of the President, please consider first the condition of Rome, and then the condition of the United States.

Rome, to a degree hardly comprehended in this country, is protected by the veneration of a large portion of mankind for his Holiness as the expounder of faith and the guardian of religion. Nevertheless, his government is surrounded by the elements of political revolution.

The United States are on the verge of civil war. It happens to them now, as it happened to ancient Rome, and has happened to many other republics, that they must make the trial whether liberty can be preserved while dominion is widely extended. What then shall we say or do in regard to Rome, or what ought Rome to say or do in regard to us?

Assure the government of his Holiness that the President and the people of the United States desire to cultivate with it the most cordial and friendly relations; that we will not violate the friendship already so happily existing by any intervention in the domestic affairs of the States of the Church. Assure his Holiness that it is the settled habit of this government to leave to all other countries the unquestioned regulation of their own internal concerns, being convinced that intrusion by a foreign nation anywhere tends only to embarrass rather than aid the best designs of the friends of freedom, religion and humanity, by impairing the unity of the state exclusively interested.

What ought Rome to do in regard to the United States? Just what I have thus said they will do in regard to Rome. We could not ask or consent to receive more, and the government of his Holiness will not propose to do less, for he is a friend to peace, to good order, and to the cause of human nature, which is now, as it always has been, our cause.

Let the government of Rome set this example and exercise its great influence in favor of a course of natural justice among nations, and the United States will still remain at peace with the whole world, and continue hereafter, as hitherto, to be the home of civil and religious liberty, and an asylum for the exiled and the oppressed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Rufus King, Esq., *&c., &c., Rome.*

Mr. Seward to Mr. Stockton.

No. 13.]

Department of State,
Washington, April 30, 1861.

Sir: An instruction, numbered 2, and dated the 29th instant, has been addressed to your successor, Mr. King, of which, as it relates to a subject of present moment, I have deemed it expedient to send you a transcript, which you will find enclosed. It is thought desirable that the views therein expressed should be communicated to the Papal government without delay.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

John P. Stockton, Esq., *&c., &c., Rome.*

Mr. Stockton to Mr. Seward.

Washington, *September* 14, 1861.

Sir: I have the honor to inform you that I left my post of duty on my return home on the 6th day of June last. But before doing so, according to the tenor of my despatch, (No. 48,) I communicated the contents of the instructions of the department to Mr. King (No. 2) to the government of his holiness.

I translated all those points of the despatch which I thought necessary into Italian, and left it with his eminence as a memoranda. I informed his eminence, the secretary of state, that although the despatch was addressed to my successor, I should be most happy to take charge of a reply, as Mr. King had not yet arrived in Rome. His eminence said that he could not know the contents of instructions of the government of the United States to Mr. King except privately. Officially Mr. King should be received before any communication directed to him could be noticed. It was impossible for him to reply; a reply was not appropriate to the occasion.

I suggested that he could state to me privately his views, which I would communicate to the government, although my official position was ended.

His eminence consented to this, and then said, in substance, as follows: He said that the Catholics of the United States, as Catholics, as a church, would take no part in the matter; it would not be proper for them to do so. As citizens he had no doubt they would all feel a great concern at our internal dissensions. He added, you are aware that the government of his holiness concerns itself mainly in spiritual matters, but we are the supporters of law and order everywhere. He said he regarded the United States as a great and free country, and he hoped that I would be assured that the kind sentiments of our government to the Holy See were appreciated and reciprocated.

I do not pretend to give either the words or a verbal translation of the expressions of his eminence, but I am sure that I have fairly stated the substance of the conversation.

Perhaps it is not improper for me, in concluding my mission, to say that I parted from his holiness with a profound sense of the kindness and consideration I had always received from him, and with sentiments of the highest regard and esteem for his character.

I have the honor to remain, very truly yours,

JOHN P. STOCKTON,
Late United States Minister at Rome.

Hon. William H. Seward,
Secretary of State.

RUSSIA.

Mr. Seward to Mr. Clay.

No. 3.]

Department of State,
Washington, May 6, 1861.

Sir: Nations, like individuals, have three prominent wants; first, freedom; secondly, prosperity; thirdly, friends.

The United States early secured the two first objects by the exercise of courage and enterprise. But, although they have always practiced singular moderation, they nevertheless have been slow in winning friends.

Russia presents an exceptional case. That power was an early, and it has always been a constant friend. This relationship between two nations, so remote and so unlike, has excited much surprise, but the explanation is obvious.

Russia, like the United States, is an improving and expanding empire. Its track is eastward, while that of the United States is westward. The two nations, therefore, never come into rivalry or conflict. Each carries civilization to the new regions it enters, and each finds itself occasionally resisted by states jealous of its prosperity, or alarmed by its aggrandizement. Russia and the United States may remain good friends until, each having made a circuit of half the globe in opposite directions, they shall meet and greet each other in the region where civilization first began, and where, after so many ages, it has become now lethargic and helpless. It will be your pleasing duty to confirm and strengthen these traditional relations of amity and friendship.

Assure his Imperial Majesty that the President and the people of the United States have observed with admiration and sympathy the great and humane efforts he has so recently made for the material and moral improvement of his empire by the extension of telegraphs and railroads, and by removing the disabilities of slavery.

Make it your duty to inquire whether the sluggish course of commerce between the two nations cannot be quickened, and its volume increased. Russia is capable of receiving cotton and tobacco from us in much larger quantities than we now send. The former is not a staple of that country, and although it produces tobacco, yet not of so high a quality as that which we send abroad, and of which Russia consumes more than any other nation.

We can well receive from that country increased quantities of hemp and flax, tallow, and other productions in exchange.

Russia is liberal to our inventors, engineers, and machinists; but vicious adventurers too often abuse this generous encouragement by fraudulent practices. See if you can devise a plan for correcting this evil. I suggest that it might be done by effecting free interchange of newspapers and scientific journals.

A Russian landing at New York can cross this western continent without once being required to exhibit a passport. Why will not Russia extend the same hospitality to us, and enable the American citizen, when he debarks at Revel, to cross the eastern continent in like manner unquestioned. The American abroad is not more than the Russian a propagandist, and while Russia pursues the general policy of the present reign it can have nothing to fear from American influences.

In another paper which accompanies this your attention is especially directed to the subject of amendments of the international code of maritime law in regard to neutrals, proposed in 1856 by the congress which was then sitting at Paris, of which body Russia was a member.

If nations were now, as in ancient times, morally independent and unsocial, the President would not have occasion to address our representatives in Europe on the painful events which are subjects of intense solicitude at home. But the world has, in a measured degree, become one commonwealth. Nations favor or discourage political changes in other nations, and exercise influences upon their success and fortunes, sometimes from interest, sometimes from sympathy, and sometimes from caprice.

Although this general fact is so well understood, yet the President indulges so uncompromising a sense of the national dignity and honor, that he, nevertheless, would not suffer a word on the subject to escape from the lips of one of our ministers abroad, if our discontented fellow-citizens who have raised the standard of insurrection had not sent out their agents to propitiate foreign powers and engage their co-operation in the desperate attempt they are making to overthrow the institutions and the liberties of the American people.

You will, of course, meet such agents in Russia. They have some advantages in Europe of which you should be warned.

What is now the insurrectionary party in the United States has been for near forty years, and until the fourth day of March last, the dominant party in the administration of this government. It has acquaintances and friendships in high places there, the growth of long intercourse in foreign courts, with the prestige of political authority. The late minister to Russia returned, however, to be the governor of South Carolina at the moment when that State was in the very act of inaugurating the present revolution.

When those agents shall present themselves at St. Petersburg, his Imperial Majesty, before granting them a hearing, will naturally address himself to you, and will ask you: What is the cause of this revolution? What is its object? Why does the government resist it? What is the present condition of the revolution, and what are its prospects? What are the probable consequences of its success, or of its failure? And, finally, what does the the President desire or expect from his Imperial Majesty in regard to it?

The President will not forget, nor will he allow you to forget, that he is the magistrate of the insurrectionary, as he is also of the loyal States, and in all his dealings concerning the plotters, aiders, and abettors of this great conspiracy he will constantly remember that the people in whose name they act, and whose power they abuse, are still citizens of the republic. He believes, however, that you may answer all the questions thus contemplated without compromising the impartiality of this government, or the dignity and honor of the federal Union.

As to the cause of the revolution, you will inform the Russian government that African slavery was found existing in nearly all the States, when, seventy years ago, they met, and by a written Constitution established that Union. It was expected that under the operation of moral, social, and political influences then existing the practice of slavery would soon cease. The foreign slave trade was adopted to favor that end, while the vacant common domain which lay between the Alleghany mountains and the Mississippi river was shut up against slavery by legislation then believed to be effective and eternal.

Cotton soon afterward became an object of great commercial demand; the soil and climate of those States of this Union which are situate near and upon the Gulf of Mexico were favorable to its growth, and African slave labor existed therein practically to the exclusion of the labor of free white men.

The raising of slaves of the African race to supply the wants of the cotton growing States became a prominent economical interest in the grain and tobacco growing States adjacent to the former class of States. The interest of slavery became at once the basis of the policy, and even of the polity of these two classes of States, and by political, social, and commercial connexions those interests secured a strong and even controlling influence throughout the whole Union, and even in all foreign commercial countries. This interest of slavery was jealous and apprehensive of danger from the growth of the democratic element of free white labor, which all the while has been constantly augmented by native increase and immigration from Europe.

The several States in the Union, whatever be their population, enjoy equal representation in the Senate. Congress may, and from manifest causes must, admit new States into the Union. The slave holding interest naturally desired to extend slavery and multiply slave States. The free States necessarily desired, as they constitutionally might, to prevent the extension of slavery in regions where it did not exist or had been abolished, and so to multiply free States.

The acquisitions of new domain by purchases from France, Spain, and Mexico, to be the seat of future States, opened a wide theatre for this contest, and the contest itself by degrees came to be a chief feature in the debates of Congress, and in the canvasses of the popular elections.

The interest of slavery was consolidated and compact in the slave States, and acquired great power by threatening that if overruled those States would secede and dissolve the Union, which the free States traditionally, as well as justly, regarded as fatal to the prosperity, safety, and happiness of the whole American people. Statesmen of all classes and all parties, on that ground, continually conceded, and Congress and the judiciary constantly compromised with the slave interest, in opposition to steadily advancing popular convictions of right, duty, and patriotism, until at last all legal barriers against the extension of slavery were, in one way or in another, thrown down. Transactions so unnatural roused the interest opposed to slavery to renewed effort in the popular election of the last year, and that election resulted in the choice of the present incumbent for the office of President of the United States, although without a majority of either house of Congress identified with this interest.

The party of slavery, which had thus, for the first time, been distinctly, though not completely, unsuccessful in a popular election, instantly, and four months before the constitutional period assigned for the inauguration of the new President, took an appeal from the verdict of the people, rendered through the ballot-box, to the sword, and organized a revolution with civil war.

Such was the cause of the revolution. Its object is to create a nation built upon the principle that African slavery is necessary, just, wise, and beneficent, and that it may and must be expanded over the central portion of the American continent and islands without check or resistance, at whatever cost and sacrifice to the welfare and happiness of the human race.

The government of the United States resists this revolution for reasons too many to be hastily set forth.

It is absolutely unnecessary. All existing interests of slavery are protected now, as heretofore, by our federal and State constitutions, sufficiently to prevent the destruction or molestation of the institution of slavery where it exists, by federal or foreign intervention, without the consent of the parties concerned. The policy of fortifying and extending slavery in regions where it has no existence is injurious, vicious, and eminently dangerous to our own country and to mankind.

Dismemberment of the Union, however effected and for whatever cause, would be destruction of the safety, happiness, and welfare of the whole American people, and would, by its influence, render the present establishment of any popular form of government impracticable in an age and in a region where no other than just such a form of government is known or could be tolerated.

The condition of the revolution is this, namely: In the United States the people always exercise a direct and potential influence upon the government. They were at first incredulous of the fact that a revolution so unnecessary, so unnatural, and so fatal, was seriously intended. They saw it move steadily on, but were beguiled by the appeals of mediators, who proposed at once to avert disunion and to prevent the calamity of civil war. The government was temporarily demoralized by the presence of the conspirators in controlling numbers in the administration, in Congress, in the army, in the navy, and in every department of the public service. But at last, when it became clearly revealed that nothing less than subversion of the federal republic would satisfy the insurgents, and that the forbearance and moderation of the government towards them were abused to the purpose of preparing a deadly and desolating war, the loyalty of the people suddenly awakened; the government, sustained by popular enthusiasm and energy, has put forth all the necessary power; the revolution has at once been checked, and it is no longer doubtful that it will be promptly and effectually suppressed.

It had its origin in disappointment; and it depends for continuance only on popular passions, the occasion for which has passed away, while such passions are not in harmony with the character, sentiments, and habits of the American people.

When it shall be seen, as it soon will be, that the effort to overthrow the government is hopeless, the misguided citizens who have joined themselves to the revolutionary standard will resume their accustomed habits of reason and reflection, and the Union, having surmounted a new and formidable danger, will be stronger than ever before.

What would be the consequences of the revolution if it could be successful? The answer is obvious. At first, division of this great and hitherto peaceful and happy country into two hostile and belligerent republics. Later, a resolution of each of those two republics into an indefinite number of petty, hostile, and belligerent States. Local jealousies, continually agitated, would, early or late, be aggravated by the horrors of a servile war, filling the whole country with desolation. The end would be military despotism, compelling peace where free government had proved an absolute and irretrievable failure.

The equilibrium of the nations, maintained by this republic, on the one side, against the European system on the other continent, would be lost, and the struggles of nations in that system for dominion in this hemisphere and on the high seas, which constitutes the chief portion of the world's history in the eighteenth century, would be renewed. The progress of freedom and civilization, now so happily inaugurated, would be arrested, and the hopes of humanity which this the present century has brought forth would be disappointed and indefinitely postponed.

What will be the consequences of the failure of the revolution? The continuance of the country in the happy career that it has pursued so auspiciously, to the repose of nations and to the improvement of the condition of mankind.

What does the President require or expect from the Emperor of Russia? That sovereign is expected to do just what this government does in regard to Russia and all other nations. It refrains from all intervention whatever in their political affairs; and it expects the same just and generous forbearance in return. It has too much self-respect to ask more, and too high a sense of its rights to accept anything less.

The high character of the government of Russia warrants these moderate and just expectations.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Cassius M. Clay, Esq., *&c., &c., &c.*

Mr. Appleton to Mr. Black.

[Extract.]

No. 12.] Legation of the United States,
St. Petersburg, December 31, 1860, (*January* 12, 1861.)

Sir:

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Here, as elsewhere in Europe, the late agitations in the United States, which have followed the election of the republican candidates for President and Vice-President, have been observed with the deepest interest. The President's message was published in full as soon as it was received, together with copious comments on it from the leading journals of England and France. A weekly letter on American affairs is also published in the St. Petersburg Journal, purporting to come from New York, but doubtless made up in London, while on the arrival of every steamer from the United States the same journal receives by telegraph its most important items of news. Yesterday, for example, we had news from New York to December 28. Although the intelligence thus far, in reference to the preservation of the Union, has been uniformly bad, I think the general belief here is still favorable to some amicable adjustment. European statesmen have seen so many violent agitations spring up and subside in our country, that they expect to see this one take the same course. They cannot understand, moreover, how a great government like ours, whose career has been eminently prosperous, can be suddenly destroyed without any apparent cause, by the very people who are themselves a part of it, and who are daily receiving its benefits. They have never seen an American citizen abroad who did not glory in the American name, and boast, with honest pride, of our popular institutions. They have never seen an American journal either where this same spirit was not manifested of satisfaction with the American Constitution, and of attachment to the American form of government. Under this government they have seen our country advance in population, and territory, and wealth, and honor, as no nation on earth was ever before permitted to do, and this progress, instead of exhausting its energies, has seemed to them to inspire it with new vigor for its future growth. They have regarded it, also, as one of the striking peculiarities of our republic, that while its national developments and national glory have been thus marvellously grand, they represent, at the same time, an amount of individual advancement and personal happiness which can be found nowhere else beneath the sun. They cannot persuade themselves that a government thus idolized apparently by its citizens, under which these great results have been already worked out, and under which still greater results may fairly be anticipated, is really about to be destroyed in the midst of its usefulness and by the hands of its own people. Still less can they comprehend the method of peaceable secession by which this destruction is sought to be accomplished. They have no idea of a government which exists only at the will of a small minority of its citizens, or of a revolution in which weakness is permitted to triumph over greatly superior strength. They have no sympathy with the idea of State secession any more than with the system of negro slavery, and they will be slow, therefore, to give back their old confidence in the United States, even if the present difficulties there should be happily surmounted, unless, indeed, they can understand at the same time that the right of secession, which is now so earnestly claimed, has been substantially abandoned throughout the country, and is not likely to be again insisted on in any practical form. If, however, the existing difficulties shall not be surmounted, and under the influence of this doctrine the Union shall be broken up, the result will be hailed undoubtedly by the cabinets of Europe as a conclusive proof of the instability of popular institutions; and the destruction of the American government will be a calamity, therefore, not only to those who enjoy its benefits at home, but to those oppressed people also in the Old World, whose hearts are now cheered by the knowledge of its existence, and whose eyes are turned daily towards it for support and consolation. Yet those governments on this side of the Atlantic, who have looked to our republic as the only maritime check in the world upon Great Britain, will not be quite satisfied to see this counterpoise disappear, and that haughty power restored to its old position of mistress of the seas.

The great events which are now in progress in the United States will continue to be regarded, therefore, with the deepest interest throughout Europe, until they shall have reached their end. In the meantime I cannot describe to you the painful anxiety with which those Americans who are abroad await now the arrival of every mail from home. Amidst the wars and convulsions of Europe we have been accustomed to look towards the great republic as the assured and constant abode of tranquillity and happiness, and we have rejoiced always in the conviction that, by our right of citizenship there, we possessed a title and an honor which, making each American himself the equal of a king, could receive no added dignity from any royal order or imperial decoration. We have all had the happy consciousness, moreover, that when our duties abroad should be closed we had a country to return to, where we should find safety for our lives and property, and numerous avenues wide open to prosperity and honor and happiness. To see all this crumbling away before our eyes—our country breaking into pieces—our citizenship changing from a glory to a shame—our hopes in the future clouded over with doubt—anarchy, possibly, taking the place of good government—civil war substituted, perhaps, for peace and harmony—and ruin threatened to every valuable interest which man can cherish. The bare possibility, I say, of such results as these, deeply painful as it must be to our fellow-citizens at home, who yet have the consolation of being able to struggle step by step against them, is even more painful to those of us who are abroad, and who hear of events only at fixed intervals, without the preparation of their gradual approach, and without any power whatever to prevent them. Let us hope even yet that the God of our fathers will not permit their children to be the instruments and the victims of so vast a calamity, but that oil may yet be poured upon the heaving waters, and the ship of state may yet outride the storm. I am one of those who have never believed that it could be possible to dissolve the American Union. I thought it was protected by too much plighted faith, by too many sacred associations in the past, by too much admitted usefulness in the present, and by too many thick coming glories in the future, ever to be seriously in danger of destruction. If in this, however, I have been mistaken, and the earth is really to be shadowed now by the great calamity, may God have mercy upon those misguided men by whose folly and wickedness it will have been accomplished.

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I am, very respectfully, yours,

JOHN APPLETON.

Hon. J. S. Black,
Secretary of State, Washington.

Mr. Appleton to Mr. Seward.

[Extract.]

No. 16.]

Legation of the United States,
St. Petersburg, April 8–20, 1861.

Sir: The despatch of the department No. 10 and your circular of March 9th have been received, and I have had several interviews with Prince Gortchacow on the subject of them. Although no agent was here from the Confederate States, and none was immediately expected, I still thought it only prudent that your views in reference to these States should be known by the Russian government, in order that it might be prepared for the question of recognition whenever it should be presented. I, therefore, handed to Prince Gortchacow a copy of President Lincoln's inaugural address, and read to him, at the same time, such portions of the despatches I have mentioned as seemed to me most important, particularly calling his attention to those passages which declare the unquestioned legality of the existing government, the revolutionary nature ef thé movement which had been made against it, and the full confidence of the President that the harmony of the Union would be soon restored. In support of these views I added such suggestions of my own as I thought appropriate, and expressed the hope that our government might receive from Russia, at this crisis, a renewed manifestation of that friendly disposition which had always marked the intercourse between the United States and that empire. Prince Gortchacow replied that the question of recognizing the Confederate States was not now before the Emperor, and for the present he did not think it would be. I might assure you, he said, that his Majesty was not unmindful of the friendly relations which had so long subsisted between the two countries, and that he sincerely desired the harmony and prosperity of the Union. It was the only commercial counterpoise in the world, he added, to Great Britain, and Russia would do nothing, therefore, to diminish its just power and influence. It was only frank, however, to say, that while things continued as they were, the commerce between the Confederate States and Russia would not be interrupted. There was no blockade of southern ports, and any informality in the papers of ships which cleared there would be overlooked. This, he said, was the course determined on by England and France, and he understood it was pursued also by our own government. I told him I had no specific instructions on this point, and did not know what rule had been adopted concerning it by other nations. It seemed to me, however, that American ships ought to carry the American flag and be provided with American papers; and if this was not done or, still more, if the American character was repudiated, I hardly saw how they could be recognized as American ships. He said there were some difficulties certainly in the way, but it was better to overlook them, and to receive the ships for just what they were, vessels belonging to the

United States, but not provided, in consequence of existing troubles, with the usual evidence of nationality. I said, they might deny that they belonged to the United States.

He replied that this would not alter the fact. They came from ports in the United States, and the separation of the Confederate States was not yet recognized. The policy, he said, involved no recognition of nationality, but was only a concession in aid of commerce. I replied that my only interest was to prevent this recognition. We desired to be permitted to work out the pending questions in the Union in our own way, and, in our endeavors to restore its unity and harmony, we thought we had a right to rely upon the friendly aid and co-operation of other nations. He said no nation would witness the restoration with more satisfaction than Russia.

This is the substance of our conversations, and I need hardly trouble you with any comments. It is obvious that Russia does not expect to be called upon to decide the question of recognition until this decision has been made by England and France, and that she expects to find it then of easy solution. In the meantime she expresses the hope, which I am inclined to think she really entertains, that our difficulties may be amicably adjusted and the Union restored to its old harmony and power. In the commercial policy which she has adopted towards southern ports she has evidently followed the example of Great Britain and France. I ought to add that Prince Gortchacow read to me extracts from several letters of Mr. Stoekl, the Russian minister at Washington, which indicated that the representatives of the three powers there were quite agreed upon this subject. Under these circumstances, after stating such objections to the policy as occurred to me, I contented myself with the assurance of Prince Gortchakow that it was not intended to involve any recognition of nationality.

I shall take care to inform you promptly of any attempts which may be made here "to embarrass or overthrow the republic," and you may rely also upon my best efforts to prevent and counteract them.

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I am, very respectfully, yours,

JOHN APPLETON.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Appleton to Mr. Seward.

[Extract.]

Legation of the United States,
St. Petersburg, May 11, (23,) 1861.

Sir: The circular of the department dated April 20, 1861, indorsing the President's proclamation on the subject of blockades and privateering, has been received. I have written to our consuls at the different ports of Russia, calling their special attention to the subject, and enjoining upon them the utmost vigilance to prevent the fitting out of privateers within their respective consulates. At Sebastopol, where we have no consul, I have written to Colonel Gowen, an American citizen, to the same effect, and have asked him to transmit to this legation any information which may come to his knowledge on this subject, concerning either ships or persons.

I have also received the circular of the department dated April 27, transmitting, for my information, a copy of the President's proclamation of that date directing a blockade of the ports of Virginia and North Carolina, in addition to that of the ports of the States mentioned in the proclamation of the 19th instant.

I have the honor to be, &c.,

JOHN APPLETON.

Hon. Wm. H. Seward,
Secretary of State, Washington.

Mr. Seward to C. M. Clay.

No. 4.]

Department of State,
Washington, May 21, 1861.

Sir: We have received Mr. Appleton's despatch of the 8th of April, (No. 16.) The manner in which Prince Gortchacow has expressed himself on the subject of the domestic disturbances in our country, and the anticipated application of the insurgents for a recognition of their assumed authority, is in harmony with the friendly spirit which Russia has always manifested towards the United States, and in the main is quite satisfactory. We might, indeed, have felt ourselves bound to except to the claim that while matters should remain as they were assumed to be when this conversation was held, irregularities in the observance of our revenue laws practiced by foreign nations would be expected to be overlooked by this government; but that question has passed by. We have put our land and naval forces in motion to suppress the insurrection, and have closed the ports which have been seized by the revolutionists by a blockade. You may, if occasion shall offer, assure the Russian government that we expect that the unhappy disturbance will not continue long, and that peace and harmony will return, and the Union be stronger and firmer than ever before.

Mr. Appleton's judicious and energetic conduct in this connexion is approved and appreciated by the President.

I am, sir, your obedient servant,

WILLIAM. H. SEWARD.

Mr. Appleton to Mr. Seward.

[Extract.]

No. 18.]

Legation of the United States,
St. Petersburg, May 22, (*June* 3,) 1861.

Sir: I have the honor to enclose copies, which I have received unofficially, of two orders of the Russian government which have been recently issued for the guidance of its officers in respect to the flags and ships of the Confederate States. It will be seen that they conform to what was said to me on this subject by Prince Gortchacow in the conversation which I reported to the department in my No. 16. I ought to add that every American ship which has yet appeared at Cronstadt has shown the American flag and claimed the American character. In one case from a southern port the papers were not quite regular, but the irregularity was overlooked.

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I am, very respectfully, your obedient servant,

JOHN APPLETON.

Hon. William H. Seward,
Secretary of State, Washington.

To the commander-in-chief of the port of Cronstadt:

His imperial highness the general admiral, foreseeing the possibility of ships belonging to the southern States of the American Union, which have seceded from the United States of North America, arriving at our ports during the present navigation, has directed me to inform your excellency, for your guidance, that, according to the opinion of the minister of foreign affairs, the flag of men-of-war belonging to the seceded States must not be saluted.

That there may be no obstacle in the way of commerce, merchant vessels of the seceded States are to be treated according to the rules acted on by us with regard to Italian merchant vessels sailing under the Italian flag; *i. e.*, according to the treaties that are at present in force, (commercial treaty concluded between America and us December (6,) 10, 1832.) Should the crews of vessels belonging to the seceded States not wish to acknowledge the authority of the consuls appointed by the federal government of Washington, then, in case of dispute, they must abide by the decision of our local authorities, in the same manner as foreigners whose governments have no representatives in our empire.

General Major GREIG,
Director of the Chancellery of the Ministry of Marine.

Circular addressed to the custom-houses on the White, Baltic, Black, and Azoff seas.

By order of the minister of finance, the department of foreign trade prescribes: In case any merchant vessels arrive in our ports belonging to the southern States of the American Union, the same not acknowledging the authority of the government of the United States of America, the said vessels are to be treated and received as hitherto, according to the treaty of 1832, should even their ships' papers not be in order, which may occur in consequence of the present political condition of the United States of America.

General Lieutenant PASHKOFF,
Director of the Department of Foreign Trade.
SORNIN, *Chief of Section, &c.*

Mr. Clay to Mr. Seward.

[Extract.]

LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, June 7, 1861.

SIR: * * * * * * * * *

I find here your letters Nos. 1, 2, and 3. No. 1, giving me information which, if sooner received, would have avoided the necessity of my remarks in my last letter personal to myself, as I there find myself advised of my right to receive salary from the time of my leaving home to my arrival here I need only add that the documents referred to in No. 1 are also received, as well as your circular of the 6th May, (printed,) all of which shall receive my earliest attention.

I found the Emperor absent in the direction of Moscow; and being introduced by our minister, Mr. Appleton, to the assistant secretary of state, General Tolstoy, (the premier, Gortchacow, now being also absent,) I was advised by him to await the return of the Emperor; and I presumed it would not be agreeable to the Emperor for me to follow on, so I shall await his return to this city. I may add that the secretary gave me a very cordial meeting, speaking partly in English and partly in French; assured me of the continued feeling of friendship on the part of Russia for the Union, and *his hope that the Confederate States would not venture an embassy here.* In a word, I venture to say that the French and Russian Emperors are friendly to our Union.

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I have the honor to be your obedient servant,

C. M. CLAY

Hon. W. H. Seward,
Secretary of State, &c.

Mr. Seward to Mr. Clay.

[Extract]

No. 8.]

Department of State,
Washington, July 8, 1861.

Sir: Your despatch No. 3, dated June 7, was duly received, and the intelligence of your safe arrival at your destination afforded us much satisfaction.

So also the President is highly gratified with the liberal and friendly sentiments concerning our domestic affairs, expressed to you by Prince Gortchacow.

I transmit for your confidential perusal a copy of my last despatch to Mr. Dayton, on the subject of our proposition to accede to the declaration of the congress of Paris. The views it presents will be the guide to your own action on that subject.

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I am, sir, &c.

WILLIAM H. SEWARD.

C. M. Clay, Esq., *&c., &c., &c.*

Mr. Clay to Mr. Seward.

[Extracts.]

No. 4.]

St. Petersburg, *Russia, June* 21, 1861.

Sir:

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The Emperor returned from Moscow a few days ago, where, it is said, he was engaged in suppressing the insurrections of the serfs. By persuasion and arms, as the enemies of the liberation, the proprietors themselves, or their agents, were making them believe that they were at once freed from all claims of work, &c., and this was done, no doubt, to prejudice the great work of the Emperor. But it seems that everywhere the disaffection has been subdued, and very strong demonstrations of respect have been, here and at Moscow, by the peasants towards the Emperor, warmly exhibited.

On the 16th (28th) instant I called upon, by agreement, Prince Alexander Gortchacow III, minister of foreign affairs to his Majesty the Emperor. He received me in a cordial way, shaking hands, and causing me to be seated. He led the conversation by saying the Emperor having been advised of my arrival, had ordered him to express his continued friendship for the United States government; that he had heard with regret of our civil troubles, and hoped the Union a speedy triumph. I responded that no change of administration had changed the relations of the United States and Russia, whose natural position and traditionary friendship must ever keep them in the closest harmony, and that I was ordered by the President thus to express myself to his Imperial Majesty; that I was ordered also to explain at the proper time the causes of our difficulties at home; that at present I would only say that the rebel slaveholders made war upon us because, following in the wake of advancing civilization, we would not allow our government to be longer the propagandist of slavery. I stated how the slave States were divided, and my hope that the rebellion would be soon crushed out. To this he attentively listened, and responded that he hoped it would be most "*speedily* done."

Upon my giving him my office copy of the letter of credence, he said he would see the Emperor, and let me know at my hotel when I would be received by his Majesty. He also asked after Pickens, my family, and other things in a familiar way, when I was dismissed by again shaking hands. I have given the substance of the interview, and the words as near as may be, in order that you may for yourself draw your own conclusions. *

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According to the rule here, I day before yesterday called upon M. de Tchetestcheff, master of ceremonies. My visit was yesterday returned, and I now await further orders from the Emperor as to the presentation, of the which I will write you the particulars before sending you this. * *

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Prince Gortchacow having returned my visit, gave me notice that the Emperor would receive me on Sunday, at twelve o'clock, the 2d (14th) July, at Peterhoff. So on to-day (14th July) I and my suite, Green Clay, William C. Goodloe, and T. Williams, private secretaries, set out at ten a. m. for Peterhoff by rail, the "geraut" of ceremonies meeting us at the station here, and three of the Emperor's carriages meeting us at the depot and taking us to the palace. We then witnessed a review of cavalry and infantry by the Emperor, and after it was over, at a little after one o'clock, we were sent for by the Emperor, and, as my secretary was told by the "master of ceremonies," who is the regular introducer, I was conducted into the presence by Prince Gortchacow, who, though the Emperor spoke (English ?) American mostly, acted as interpreter as to the set speech, which was in Russian.

The Emperor received me standing, advancing and saying he was pleased to see me. I then went through, very briefly, the usual forms of such speeches, adding, that I ventured, by the orders of my government, to say further to him that the President of the United States and the American people looked with profound sympathy and admiration upon the great reforms which he was attempting in his empire, which, without considering the philanthropic view of the movement, by building up a middle class, he would add more to the physical power of his country than did Peter the Great by consolidation and extension; and that the success of his enterprise would, in the estimation of the western nations, place him even above that great ruler.

The Emperor seemed much gratified and really moved by this last remark, which he saw was from us a real appreciation of his great undertaking, and not an unmeaning compliment. He then said he would respond through the prince; and, turning to him, he spoke with very decided earnestness. In response to the first part of my address, he repeated the usual words. To the last he said, in conclusion, that "so much the more had he hopes of the perpetuity of the friendship between the two nations now, that in addition to all former ties we were bound together by a common sympathy in the common cause of emancipation." I give nearly the exact words. Among other things he expressed a very earnest wish that we would speedily recover the integrity of the Union. The more formal speech was done through the prince; the rest was spoken to me directly in English. He asked me what late advices I had; and when I told him how many of the border slave States were standing by the Union, he expressed great satisfaction. He wanted to know if I thought England would interfere. I told him we did not care what she did; that her interference would tend to unite us the more; that we fought the south with reluctance; we were much intermarried, and of a common history; but that the course of England had aroused our sensibilities towards her in no very pleasant manner. The Emperor seemed to like my seeming defiance of old "John Bull" very much. He wanted to know if I was a relative of Henry Clay, and what was my military rank. I told him I was only a distant relation of Clay, and that I wore the uniform of an American colonel, which rank I had filled in my own country. The Emperor then wished that our personal relations would advance the national friendship, as our former ministers had so succeeded; inquired after Mr. Appleton's health; regretted that he had not seen him before his departure; shook hands with me; when I accompanied him into the ante-chamber, and introduced to him my three attachés, to whom he made pleasant remarks, when, shaking hands once more, he dismissed us.

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I have already made this letter too long; but I cannot conclude without saying how much more and more I value the great and inestimable blessings of our government, and how I trust in God that no compromise will be made of the great idea for which we have so long fought, but that General Scott, following out the programme of Mr. Lincoln's inaugural, will *slowly* and *surely* subdue the rebellion, "stock, lock, and gun-barrel," "hook and line, bob and sinker," and that we may be all spared to see once more that glorious old banner restored. "Liberty and union, now and forever—one and inseparable."

I have the honor to be your most obedient servant,

C. M. CLAY.

Hon. W. H. SEWARD, *Secretary of State, &c., Washington, D. C.*

Mr. Seward to Mr. Clay.

No. 9.]

DEPARTMENT OF STATE,
Washington, July 9, 1861.

SIR: Mr. Appleton's despatch of May 22, (June 3,) No. 18, has been received.

It contains the orders in admiralty on the subject of the treatment of American vessels during the present condition of our internal affairs.

The subject seems to call for no special instruction to you, except to express to the Russian government the satisfaction which this government feels in regard to the conduct and friendly action of the Emperor.

Mr. Appleton is now with us, and we are deriving much profit from the information he gives. We learn your high appreciation of his conduct in his mission with pleasure.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Clay to Mr. Seward.

[Extracts.]

No. 5.]

ST. PETERSBURG, *August* 3, 1861.

SIR: * * * * * * *

A few days since I laid before Prince Gortchacow the declaration of the seven powers at Paris, April 16, 1856, as you had prepared it. He expressed himself favorably inclined towards allowing us to become a party, saying that Russia had, in a friendly spirit, in 1856, asked that America and the parties not acceding should be exempt from its force; for he desired to see the United States flourish as a naval power; * * * that he would take the scheme under consideration, and advise me of the Emperor's conclusion. I laid before him also an additional clause, embracing Secretary Marcy's proposition: "Private goods of citizens or subjects of neutrals, and of belligerents, at sea, not contraband of war, shall not be liable to capture." Of this also he spoke favorably, but said, as we could not enforce it without the accession of the great powers, it should be referred to them. I said that there must be a beginning, and that I hoped the Emperor would both accept it and urge it upon the maritime powers. Should this advance be made, (and why not?) it would, most of all, benefit the United States; whilst, in agreeing simply to the Paris declaration, we are most of all injured.

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Your copy of despatch (No. 27) to Mr. Dayton you will see has just been exactly anticipated by me. I put the Paris declaration, "pure and simple," for immediate adoption, and reserved the Marcy addendum for future consideration. No doubt it will be ultimately adopted; for all the nations except France, England, and the United States, would no doubt be glad to have the commerce of the seas free from the perils of the war navies of these great powers.

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I am, very truly, your obedient servant,

C. M. CLAY.

HON. W. H. SEWARD.

Mr. Seward to Mr. Clay.

No. 12.]

Department of State,
Washington, August 12, 1861.

Sir: Your despatch of 21st of June (No. 4) has been received. The account which it gives us of your reception by the Emperor of Russia, and of the just purposes and friendly wishes expressed by him in relation to the United States, is eminently satisfactory. I sincerely hope that the good understanding which now exists between the two governments may continue. I am sure you need no new instructions to enable you to say that we rejoice in the peaceful progress of the means which the Emperor has initiated for meliorating the condition of the people of Russia.

Your suggestions concerning certain modern improvements of rifled cannon have been commended to the consideration of the Secretary of War.

We wait with interest upon your negotiation on the subject of the rights of neutrals in maritime war, which your despatch leads us to suppose you will already have commenced before this communication shall have reached St. Petersburg.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Cassius M. Clay, *&c., &c., &c*

Mr. Seward to Mr. Clay.

No. 13.]

Department of State,
Washington, September 3, 1861.

Sir: Your despatch of the 3d of August (No. 5) has been received.

I have been quite well aware that our relations to Great Britain and France, in this crisis of our domestic difficulties, are attended by complications and dangers which altogether surpass any that we can have to encounter in our intercourse with Russia and other northern European powers. We hope and expect to be always in relations of amity and real friendship with those powers, and are very willing to negotiate with them, and especially with Russia, upon the basis of the declaration of the congress of Paris, either with or without the Marcy amendment, though greatly preferring that that amendment shall be incorporated into the treaty.

At the same time, it is well that you should know that thus far the propositions for similar treaties with Great Britain and France have not yet been acceded to by those governments. If the imperial government, for any reason, prefer to delay acting upon the subject until the decisive results of our negotiations with the two other powers named, we shall not expect you to be urgent upon the subject. We simply desire to act justly and candidly with all other nations, so as to give them all reasonable guarantees for the security of commerce during the continuance of our civil war. This done, we can cheerfully abide the coming of events, never doubting for a moment the complete restoration of the authority and high prestige of the federal Union.

Your remarks upon the subject of Mexico are very interesting, and they will have due weight in forming any determination which the rapid course of political events there shall require us to adopt.

I wish that it were compatible with my many cares at this critical moment to impart to each of our ministers abroad a full knowledge of the condition of our negotiations and discussions with all foreign powers. If I could do so, you would probably be satisfied that you are laboring under apprehensions of some imaginary foreign dangers. But such a proceeding is absolutely impossible, and I must be content to advise you, when necessary, of the President's wishes in regard to your own mission, and leave you, as to the rest, to await ultimate, and yet seasonable, developments.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Cassius M. Clay, Esq., *&c.*, *&c.*, *&c.*

Prince Gortchacow to Mr. De Stoeckl.

[Translation.]

St. Petersburg, *July* 10, 1861.

Sir: From the beginning of the conflict which divides the United States of America you have been desired to make known to the federal government the deep interest with which our august master was observing the development of a crisis which puts in question the prosperity and even the existence of the Union.

The Emperor profoundly regrets to see that the hope of a peaceful solution is not realized, and that American citizens, already in arms against each other, are ready to let loose upon their country the most formidable of the scourges of political society—a civil war.

For the more than eighty years that it has existed the American Union owes its independence, its towering rise, and its progress to the concord of its members, consecrated, under the auspices of its illustrious founder, by institutions which have been able to reconcile union with liberty. This union has been fruitful. It has exhibited to the world the spectacle of a prosperity without example in the annals of history.

It would be deplorable that, after so conclusive an experience, the United States should be hurried into a breach of the solemn compact which, up to this time, has made their power.

In spite of the diversity of their constitutions and of their interests, and perhaps, even, *because* of this diversity, Providence seems to urge them to draw closer the traditional bond which is the basis and the very condition of their political existence. In any event, the sacrifices which they might impose upon themselves to maintain it are beyond comparison with those which dissolution would bring after it. United, they perfect themselves; isolated, they are paralyzed.

The struggle which unhappily has just arisen can neither be indefinitely prolonged nor lead to the total destruction of one of the parties. Sooner or later it will be necessary to come to some settlement, whatsoever it may be, which may cause the divergent interests now actually in conflict to coexist.

The American nation would then give a proof of high political wisdom in seeking in common such a settlement before a useless effusion of blood, a barren squandering of strength and of public riches, and acts of violence and reciprocal reprisals shall have come to deepen an abyss between the two parties to the confederation, to end definitively in their mutual exhaustion, and in the ruin, perhaps irreparable, of their commercial and political power.

Our august master cannot resign himself to admit such deplorable anticipations. His Imperial Majesty still places his confidence in that practical good sense of the citizens of the Union who appreciate so judiciously their true interests. His Majesty is happy to believe that the members of the federal government and the influential men of the two parties will seize all occasions and will unite all their efforts to calm the effervescence of the passions. There are no interests so divergent that it may not be possible to reconcile them by laboring to that end with zeal and perseverance in a spirit of justice and moderation.

If, within the limits of your friendly relations, your language and your councils may contribute to this result, you will respond, sir, to the intentions of his Majesty the Emperor in devoting to this the personal influence which you may have been able to acquire during your long residence at Washington, and the consideration which belongs to your character as the representative of a sovereign animated by the most friendly sentiments towards the American Union. This Union is not simply, in our eyes, an element essential to the universal *political* equilibrium. It constitutes, besides, a nation to which our august master and all Russia have pledged the most friendly interest; for the two countries, placed at the extremities of the two worlds, both in the ascending period of their development, appear called to a natural community of interests and of sympathies, of which they have already given mutual proofs to each other.

I do not wish here to approach any of the questions which divide the United States. We are not called upon to express ourselves in this contest. The preceding considerations have no other object than to attest the lively solicitude of the Emperor in presence of the dangers which menace the American Union, and the sincere wishes which his Majesty entertains for the maintenance of that great work, so laboriously raised, which appeared so rich in its future.

It is in this sense, sir, that I desire you to express yourself, as well to the members of the general government as to influential persons whom you may meet, giving them the assurance that in every event the American nation may count upon the most cordial sympathy on the part of our august master during the important crisis which it is passing through at present.

Receive, sir, the expression of my very distinguished consideration.

GORTCHACOW.

Mr. De Stoeckl, *&c., &c., &c.*

Mr. Seward to Mr. De Stoeckl.

Department of State,
Washington, September 7, 1861.

The Secretary of State of the United States is authorized by the President to express to Mr. De Stoeckl, envoy extraordinary and minister plenipotentiary of his Majesty the Emperor of Russia, his profound sense of the liberal, friendly, and magnanimous sentiments of his Majesty on the subject of the internal differences which for a time have seemed to threaten the American Union, as they are communicated in the instruction from Prince Gortchacow, and by him read, by his Majesty's direction, to the President of the United States and Secretary of State. Mr. De Stoeckl will express to his government the satisfaction with which the President regards this new guarantee of a friendship between the two countries, which had its beginning with the national existence of the United States.

The Secretary of State offers to Mr. De Stoeckl renewed assurances of his high consideration.

WILLIAM H. SEWARD.

Mr. Edward de Stoeckl, *&c., &c., &c.*

DENMARK.

Mr. Seward to Mr. Wood.

[Extract.]

No. 2.] Department of State,
Washington, May 1, 1861.

Sir: The one subject in all our foreign relations which most anxiously engages the President's attention is the possible action of other nations in regard to the domestic controversy which is raging within our own borders.

Parties long ago found it their apparent interest to appeal to local interests and prejudices, and they have persevered in that policy so far and with such effect that masses large enough to control the action of the State authorities have at last come to prefer disorganization and disunion, rather than to acquiesce in the will of the majority expressed in conformity with the provisions of the organic law.

To a well-balanced mind it seems very strange that a citizen, ever without the excuse of intolerable oppression, passes the first stage of sedition, for it is at that very stage that the malcontent finds himself obliged to seek aid from aliens to defeat the equal laws and overthrow the beneficent institutions of his own country. Sedition in the United States is not merely unreasonable, it is altogether absurd. Human ingenuity has never yet devised, nor can it devise, a form of government in which the individual citizen can retain so large a portion of the natural rights of man, and at the same time receive so ample a protection against the dangers which so often threaten the safety and even the existence of nations. Nevertheless, an insurrection has broken out here; a pretended government has been constituted under the name of the Confederate States of America, and that government now has its agents abroad seeking to obtain a recognition of its sovereignty and independence.

It is hardly to be supposed that these agents will visit the capital of Denmark. They will seek the favor of powers supposed to be more capricious or more ambitious. Nevertheless political action even of the more commanding or more active States is influenced by a general opinion that is formed imperceptibly in all parts of the Eastern continent. Every representative of the United States in Europe has, therefore, a responsibility to see that no effort on his part is wanting to make that opinion just, so far as the true position of affairs in his own country is concerned.

It cannot be necessary to discuss at large the merits of the unhappy controversy. It is sufficient to speak of its nature and its probable result. The insurrection strikes at the heart of the nation. The country, so long accustomed to profound tranquillity and universal loyalty, was slow to believe that a parricidal purpose could be contemplated where it felt satisfied there was no just cause for serious discontent. Our government is at once a purely representative and simply federal one.

While the insurrection was gathering, the administration was practically paralyzed by the presence, in a very large proportion, of the plotters and abettors of the movement, in what, in Europe, would be called the ministry, in the legislative, in the army, in the navy, in the customs, in the post office, in the diplomatic and consular representations abroad.

Seventy years of almost unbroken peace had brought agriculture, mining, manufactures, and trade to the highest possible state of activity, and the people shrunk intuitively from a change of that peaceful activity, for not merely war, but needless and ruinous civil war, which even threatens to take on the revolting character of servile war.

The insurgents skilfully availed themselves of these doubts and fears, and by a course of affected moderation increased them. It seemed as if the nation would fall into ruins without even putting forth an effort to preserve its integrity. You could not, therefore, have been surprised at finding on your arrival in Europe that the same impression had obtained there, and that the Union of these States was assumed, in European circles, to be practically at an end. For a time loyal citizens occupied themselves with trying how, by compromise, to avert a civil war, rather than to accept as inevitable an event so unnatural and so fearful.

The crisis, however, came at last, a few days after your departure from the country. The insurgents, with the force gathered through immense preparations around a fortress in their own locality, opened a terrible fire upon it, to prevent the handful of men, which constituted the garrison, from receiving supplies when on the verge of famine, and continued the cannonade, though the barracks were in flames, and the brave men, thus imperilled, were obliged to abandon defence against assault to save themselves from destruction in another form. The defending force consented to a capitulation dishonorable only to their assailants.

This last and most violent pressure reached at once the very centre where the elastic force of the national spirit lay concealed. The government accepted the issue of civil war, and sent forth its appeal to the patriotism of the people. Never in any age or country was such an appeal responded to with so much promptness, enthusiasm, and resolution; and certainly never did any nation disclose and offer up at once such exhaustless resources for its self-preservation.

The revolution already is upon the recoil. Its failure is certain. All that remains is to see what shall be the measure of the disasters and calamities, affecting chiefly the insurgents themselves, which are to be endured before they consent to a restoration of peace, and to guarantee the inviolability of the Union.

Friendly nations may for a little time, perhaps, suffer some inconvenience from the blockade of the ports of the insurgent States, which this government has found it necessary to set on foot, as they will justly take alarm at the announcement that the revolutionary party have proclaimed their purpose to employ privateers to prey upon the commerce of the country. But the embarrassments attending the first measure will be mitigated by the strictness and efficiency with which it will be enforced, and it will not be maintained a day longer than is necessary. Our naval arm is already strong, and it will promptly be made stronger, so that the other evil will be, as we trust, effectually prevented. * * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Bradford R. Wood, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Wood.

No. 3.]

DEPARTMENT OF STATE,
Washington, May 6, 1861.

SIR: Herewith I transmit a copy of a despatch of the 24th ultimo, which has been addressed to the several ministers of the United States accredited to the maritime powers whose plenipotentiaries composed the congress at Paris of the 16th of April, 1856, calling their attention to the importance of endeavoring to negotiate with those powers conventions upon the subject of the rights of belligerents and neutrals in time of war. The government of Denmark was not represented in the Paris congress; but the negotiation of a similar convention with that government is considered desirable, and you will therefore be governed by the instruction of which I enclose a transcript, and endeavor to effect that object. With this view I herewith send you a full power and a draft of the proposed convention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., *&c., &c., &c., Copenhagen.*

Mr. Wood to Mr. Seward.

No. 2.]

LEGATION OF THE UNITED STATES,
Copenhagen, July 11, 1861.

SIR: I have the honor to inform the department that, immediately on the return of Mr. Hall, the minister of foreign affairs, from Jutland, and by his request, I met him on the 10th instant. His reception was frank and cordial, and while he alluded to the opinions held by my predecessor as different from mine, he expressed himself decidedly in favor of the administration and against the so-called confederates. He also informed me that the King would not return to Copenhagen before the last of this month or the beginning of next.

I have the honor to remain your obedient servant,

BRADFORD R. WOOD.

HON. WILLIAM H. SEWARD,
Secretary of State.

Mr. Wood to Mr. Seward.

No. 4.]

LEGATION OF THE UNITED STATES,
Copenhagen, July 19, 1861.

SIR: I have the honor to inform the department that, in an interview yesterday with the president of the council and minister of state, Mr. Hall, he readily acceded to the doctrine of the Paris convention in regard to privateering, though reluctant, in the present state of European affairs, to adopt the position of your predecessor, Mr. Marcy. He mentioned the fact that a

Danish man-of-war had been sent to the West Indies for the purpose of preventing privateering and preserving the neutrality of Denmark.

The King is still absent, in Jutland, and my reception as the representative of my government by the minister of state, without the formality of a presentation to the King, should be considered a compliment to that government.

I have the honor to remain your obedient servant,

BRADFORD R. WOOD.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Wood.

No. 6.]

DEPARTMENT OF STATE,
Washington, August 1, 1861.

SIR: Your despatch of the 11th of July last has been received, and the President instructs me to say that the explanation of the views of the Danish government given to you by Mr. Hall, the minister for foreign affairs, is very satisfactory.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., *&c., &c., &c., Copenhagen.*

Mr. Seward to Mr. Wood.

No. 8.]

DEPARTMENT OF STATE,
Washington, August 22, 1861.

SIR: Your despatches to No. 5, of the 26th ultimo, have been received.

From your No. 4 I learn, with much satisfaction, that the Danish government adopts and practices the declaration of the congress of Paris, and I trust that nothing is likely to occur to produce any inconvenience affecting the commerce with Denmark, a power with which we have every desire to cultivate the most intimate relations.

Your admission by the minister to the duties of your mission under the circumstances of the absence of his Majesty is accepted by us as a proof of the friendly feelings of the government, deserving of especial acknowledgment.

The information given in your No. 5, on the subject of the purchase in Europe of clothing and arms for the United States, has been communicated to the Secretary of War.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., *&c., &c., &c., Copenhagen.*

Mr. Seward to Mr. Wood.

No. 9.]

DEPARTMENT OF STATE,
Washington, September 5, 1861.

SIR: Your despatch of August 15 (No. 9) has been received.

The affair of the place of deposit for papers of Danish vessels, to which you direct my attention, has been already settled in a manner which will, I am sure, be entirely satisfactory to the government of Denmark.

I can well understand the depression you experienced on hearing of the reverse of our arms at Bull Run, and the unfavorable comments on our course which this misfortune elicits in Europe. There is, however, no occasion for apprehension of an unfavorable issue of the present civil contest.

Whatever speculations on the subject may be made at home or abroad, you may be assured that it is not in our day that treason is to prevail against the government in our country, based as it is on the rights of man and his capacity for self-government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

BRADFORD R. WOOD, Esq., *&c., &c., &c., Copenhagen.*

ITALY.

Mr. Seward to Mr. Marsh.

[Extracts.]

No. 3.]

Department of State,
Washington, May 9, 1861.

Sir: I know that you will be welcome at Turin. Count Cavour, a true exponent of the sentiments of a generous sovereign, will be rejoiced to receive from this country a minister who will not manifest repugnance to the aspirations of the Italian people for liberty and unity. The government of the United States practices non-intervention in all other countries and in the controversies between them. You are at liberty, however, and, indeed, are especially charged, to assure his Majesty that he is held in high consideration by the President and the people of the United States. You will further assure him that it is a source of sincere satisfaction to this government that Italy seems to be even more prosperous and happy now under his government, although enjoying only short respites from revolutionary struggles for independence, than it has been at many periods long gone by, when despotism shielded that classic region from turbulence and civil commotion.

You will learn from observation that government, even when its counsels are inspired by patriotism and humanity, has its trials and embarrassments as well in Italy as elsewhere. How to save the country from the ambitious designs of dangerous neighbors on either hand—how to reconcile the national passion for freedom with the profound national veneration for ecclesiastical authority—how to harmonize the lassitude of society in the Mediterranean provinces with the vigor that prevails along the Appenines, and how to conduct affairs with so much moderation as to win the confidence of the conservative interests, and yet not to lose the necessary support of the propagandists of freedom, are tasks witnessed there which will convince the American statesman that even in that country the establishment and maintenance of free government are attended with difficulties as formidable as those which sometimes produce political despondency in our own.

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Since the inauguration of the President it has been my duty to prepare, under his directions, instructions to many of our ministers going abroad. The burden of them all has been, not the ordinary incidents of international hospitality and commerce, which reduce diplomacy to a monotonous routine, but the extraordinary and sometimes alarming condition of our own internal affairs, threatened with the complication, most of all to be deprecated, of intervention, in some form or other, by European nations.

This foreign danger arose chiefly out of the deplorable condition of affairs at home. The administration found the government disorganized by the presence of disunionists of high position and authority in all its departments. Some time was necessary to eliminate them before any decisive policy could be adopted. It was, moreover, necessary to forbear from demonstrations of federal authority that might be represented as aggressive, to allow the revolution to reveal its alarming proportions and boldly proclaim its desperate and destructive designs.

It was seen all the time that these needful delays were liable to be misunderstood abroad, and that the malcontents would endeavor to take advantage of them there. The government has, therefore, not been surprised, although it has been deeply grieved, to see the agents of the revolutionary party, perhaps even with the concurrence of some of our own demoralized ministers in Europe, insidiously seeking to obtain from some of its sovereigns a recognition of the projected treasonable confederacy.

It has been no easy task to study the sophisms, arts, and appliances which they might be expected to use in the highly commercial circles of Belgium, Paris, and London. It was nevertheless necessary to attempt it, for human nature is at least no more moral, just, or virtuous in courts than it is in private life. There is no such embarrassment, however, in the present case. It often happens that foreign observers, if candid, understand American questions quite as well as Americans themselves. Botta and De Tocqueville were of this class.

So Count Cavour cannot be at any loss to understand the present political condition of the United States.

The American revolution of 1776, with its benignant results, was due to the happy combination of three effective political ideas: First, that of emancipation from the distant European control of Great Britain; second, popular desire for an enlargement of the political rights of the individual members of the State upon the acknowledged theory of the natural rights of man; third, the want of union among the States to secure safety, tranquillity, aggrandizement, and fame.

The revolution attempted in 1861 is a spasmodic reaction against the revolution of 1776. It combines the three ideas which were put down, but not extinguished, in that great war, namely: First, European authority to regulate political affairs on this continent; second, the aggrandizement and extension of human slavery; third, disunion, dissolution, anarchy.

Any impartial thinker can see that an attempt at a revolution so unnatural and perverse as this could never have been embraced by any portion of the American people, except in a moment of frenzied partisan disappointment; that it has no one element of success at home, and that it is even more portentous to all other governments than to our own. It is painful to see faction stalking abroad in one's native land. But faction is incident to every state, because it is inherent in human nature. We prefer, if it must come, that it come in just its present form and character. It will perish by simply coming to confront the American people, for the first time brought to meet that enemy of national peace and safety in arms. The people are aroused, awakened, resolute, and determined. The danger is, therefore, already passed. We no longer fear—indeed, we hardly deprecate—the disaster of civil war brought upon us without fault. We now see that it may be regarded as a necessary trial to preserve the perfection of our Constitution, and to remove all remaining distrust of its durability and its adaptation to the universal wants of mankind.

I am, sir, your most obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., *&c., &c., Turin.*

Mr. Seward to Mr. Marsh.

No. 5.]

DEPARTMENT OF STATE,
Washington, June 21, 1861.

SIR: Your despatch No. 2, written at Paris May 29, has been received. The government not only accepts your explanation of the delay you have made on your way to your post of duty, but also appreciates and thanks you for the faithful service you have rendered to the country in an important crisis by your labors to correct an erroneous public opinion in Europe through the use of the press in London.

We hear with sincere regret and sorrow of the death of Count Cavour, a statesman honored none the less by the people of this country because the theatre of his labors is remote from our own. If it shall seem proper to you, you may express these sentiments to his Majesty.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

GEORGE P. MARSH, Esq., *&c., &c., &c., Turin.*

Mr. Dillon to Mr. Seward.

[Extracts.]

UNITED STATES LEGATION,
Turin, June 10, 1861.

SIR: Since my communication of the 16th of April last, to announce my arrival here the 12th of that month, from my late post, Rio de Janeiro, and of my having entered upon the discharge of my duties as *chargé d'affaires ad interim*, the event first in order of importance, though not of time, which it is my painful duty to communicate, is the sudden death, on the 6th instant, of his excellency the Count Camillo Benso de Cavour, late president of his Majesty's council and minister of foreign affairs. The count was taken ill on the evening of the 29th of May last at his residence, the hotel of his elder brother, the Marquis de Cavour, of what proved to be typhus fever. Injudicious and repeated bleedings at the commencement of the fever, though, I am told, at his own instance, hastened the sad event.

The count was never married.

Europe still echoes with eulogies to his memory. Among the most felicitous and important, as expressing at the same time a political programme, is a leading article in the *Constitutionnel* of Paris, semi-official, and supposed to emanate from the Emperor of the French. I extract a single sentence: "S'il y a aujourd' lui dans la péninsule un grand homme de moins il y a, grâce à Dieu, un grand peuple de plus. *Et ce peuple affranchi ne saurait desormais retomber dans la servitude.*" In common with my colleagues, of the diplomatic corps, I attended the funeral obsequies in the parish church of the Madonna degli Angeli the evening of the 7th instant, and the following morning the remains were transferred to the burial vault of the Cavour family, at Santena, some six miles distant from Turin, there to remain—thus contradicting the reports of the public prints that, in compliance with the King's wish, they were to be entombed in the royal basilica of the Superga.

"Exegi monumentum ære perennius,
Regalique situ pyramidum altius."

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Shortly after my arrival, in consequence of the warlike disturbances at home, the applications, written and verbal, by disbanded officers and men of the late Garibaldian army of Southern Italy, for enlistment into the United States army, became so numerous that I would call attention to a card, of which I annex a copy, published at my request by his Majesty's government in the official paper.

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The President's proclamations of the 19th and 27th of April last, received at this legation, with the circular from the department, were by me duly communicated to his Majesty's government, and printed in extenso in the *Gazetta Officiale del Regno d'Italia* the 29th of May, 1861.

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His Majesty has summoned the Baron Ricasoli, a very prominent conservative member of the chamber of deputies, from Florence, to form a new ministry, which, though not yet announced, will, it is thought, be soon completed, in continuation of the Cavour policy.

Mr. Marsh has arrived at Turin.

I am, sir, your obedient servant,

ROMAINE DILLON.

Hon. William H. Seward,
Secretary of State, Washington.

CARD.

United States Legation,
Turin, May 17, 1861.

In reply to numerous and continued applications to this legation, by letter and in person, of foreign volunteers for enlistment in the army of the United States of America, the undersigned takes this public means of declaring that he has no knowledge, official or non-official, of any instructions of his government authorizing any such enlistments out of the United States.

ROMAINE DILLON,
Chargé d'Affaires, &c.

Mr. Marsh to Mr. Seward.

[Extracts.]

No. 3.]

Legation of the United States,
Turin, June 27, 1861.

Sir: The interruption of business in the foreign office of this government, occasioned by the illness and death of Count Cavour and a week's absence of the King, which immediately followed the formation of the new ministry, prevented me from obtaining an audience of his Majesty for the purpose of delivering my letters of credence until Sunday, the 23d day of this month.

On that day I was received by the King, and, in accordance with my instructions, conveyed to him assurances of the high consideration in which he is held by the President and people of the United States, and of their satisfaction in observing the apparent prosperity and happiness of Italy under his Majesty's government. I further expressed the personal gratification I had derived from being selected to represent the United States near the government of the Italian people—a people which I had long known, and which had always inspired me with deep interest—and especially from the honor of being the first diplomate accredited to the first King of Italy.

His Majesty received these remarks very graciously, using some terms personally complimentary to me, testified much respect for the President and for yourself, and expressed a strong interest in the welfare and prosperity of the United States, as well as much solicitude for an honorable termination of the present contest between the government and the seceding States.

The audience was strictly private, no person but his Majesty and myself being present, and the interview was therefore of a less formal character than is usual with royal receptions. It is, perhaps, proper to add that the communication was conducted in French, which is the usual language of oral intercourse between foreign ministers and the sovereign or the heads of departments at this court.

With Baron Ricasoli, the new head of the ministry and minister of foreign affairs, I have had several interviews, as well before as since my reception by the King, and I therefore am not aware that the public interests have sustained any detriment by the delay of my official reception. In all these interviews American politics have formed a leading topic of conversation, and, though Baron Ricasoli speaks with proper caution, the tenor of his remarks leaves no room for doubt that his personal sympathies, as well as those of his government, are entirely on the side of the President and the constituted authorities of the Union in their great struggle.

The first point which I brought to the notice of the minister of foreign affairs was the prevention of movements hostile to the United States in the territories of the King of Italy. I stated that I had been led to fear that some attempts were making at Genoa to fit out vessels or purchase arms for the service of the rebels, and begged that the attention of the local authorities at Genoa might be drawn to the subject. Baron Ricasoli replied that the government would not knowingly permit any such purchases to be made, and that he would request the minister of the interior to direct that the police of Genoa should be watchful to detect and prevent any negotiations for that purpose,

The suggestions I made to Baron Ricasoli on this subject were founded partly on a letter from Mr. H. S. Sanford and partly on vague rumors circulating here, which I have been unable to trace to any certain foundation, though I have made inquiry in all quarters known to me which seemed to be probable sources of information. In the course of the last week I employed an Italian gentleman, then about to proceed to Genoa, and whom I believe to be entirely trustworthy, to investigate the subject on the spot. He is still absent, and as he has not written to me since arrivng at Genoa I infer that he has made no discoveries.

I have communicated to Baron Ricasoli the substance of my instructions with regard to the proposed convention for the suppression of privateering and the exemption of private property from capture by national ships of war in certain cases. He replied that the Italian government had not yet become a party to the convention of 1856, and added that the pressure of business on his department would prevent his giving immediate attention to the subject; but he expressed no objection to a negotiation on the basis proposed in your instructions of the 24th of April, 1861, or even on the broader ground of the total exemption of all private property not contraband of war from capture at sea by ships of war in all cases.

The Italian parliament is now in session, and will probably not adjourn before the 15th or 20th of July. The cabinet ministers are members, as in England, and regularly attend the sessions, which occupy a large part of the day. Many important topics are under discussion in parliament, and still more weighty questions of domestic and foreign policy are making large demands on the time and absorbing the thoughts of the administration. It is, therefore, not probable, as Baron Ricasoli intimated, that he will be able to consider the subject of the convention until the adjournment of the national legislature shall leave him more at leisure. In the meantime the negotiations with the English and French governments on the same subject will probably be brought to a close, and the final decision of the Italian government will be much influenced by that of England and France.

The death of Count Cavour, after an illness of a week's duration, and which, for the first few days, was not of a threatening character, was a great shock to the friends of constitutional liberty and progress, and an occasion of much ill-suppressed exultation among the advocates of temporal and spiritual despotism throughout Europe, and especially in Italy. To me, personally, it is a source of profound regret, both for less selfish reasons and because I had special grounds for expecting, more from his often expressed high regard for the President and yourself than from any other cause, agreeable private and official relations with this great statesman.

The successor of Count Cavour—and I may apply the same remark to most if not all of the members of the cabinet—is a man of a high order of talent, of great devotion to the interests of his country, of the same general doctrines of national policy as his predecessor, and of sincere attachment to the principles of civil and religious liberty. The remarkable unanimity with which the new cabinet is sustained by the parliament is a favorable omen, so far as respects the domestic success of the government; and there is some reason to think that the death of a prime minister, who was regarded with so much personal ill will by the reactionary party in Italy and elsewhere in Europe, may tend to diminish the asperity with which his policy has been hitherto opposed by that party.

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I am, sir, respectfully yours,

GEO. P. MARSH.

Hon. William H. Seward,
Secretary of State.

Mr. Marsh to Mr. Seward.

[Extracts.]

No. 5.]

Legation of the United States,
Turin, July 6, 1861.

Sir: Having heard a report that Mr. Patterson, consul of the United States at Genoa, expects a commission from the Southern Confederacy to act as consul of the rebel States at that port, I called on Baron Ricasoli yesterday morning, and protested against the recognition of Mr. Patterson, or of any other person, as a consular agent of the confederacy.

Baron Ricasoli assured me that, under present circumstances, at least, no such agent would be recognized at any Italian port, and he took occasion to repeat, in strong language, the expression of his own warm sympathy with the federal government of the United States, and his earnest hope that the present contest between the government and the seceding States would end in the re-establishment of the lawful authority of the Union, and be settled on terms which would secure the triumph of the principles of freedom, and the ultimate extinction of human slavery. He added that, in these expressions he was speaking the sentiments of his Majesty and of the entire government of which he was a member.

I then referred to apprehensions which had been expressed in America of the fitting out of privateers in remote Italian ports under the confederate flag. He replied that the government officers would endeavor to prevent such violations of the laws, but that it would be difficult to exercise a vigilant supervision over all the remote and unfrequented ports of the peninsula and islands, and he advised the appointment of American consuls at points favorable for observation along the coasts, as a good means of detecting and preventing such movements.

I had, on the same day, an audience of the Prince of Carignano, who expressed opinions and feelings similar to those of Baron Ricasoli with respect to our present national difficulties, and I may add that every member of the government, and almost every gentleman in public life, with whom I have conversed at Turin, coincides in these sentiments.

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The favorable sentiments with which the present administration of the federal government is regarded by most continental statesmen, are founded (independently of the high personal regard felt for the President and his constitutional advisers) partly on the opinion that it is sustaining the cause of constitutional authority, of the entirety of nationalities and of established order against causeless rebellion, violent disruption of a commonwealth essentially a unit, and disorganizing and lawless misrule; but still more, I think, on the belief that the struggle in which it is now involved is virtually a contest between the propagandists of domestic slavery and the advocates of emancipation and universal freedom. If the civil war be protracted, I am convinced that our hold upon the sympathy and good will of the governments, and still more of the people of Europe, will depend upon the distinctness with which this issue is kept before them, and if it were now proposed by the federal government to purchase the submission of the south by any concession to their demands on this subject, or by assuming any attitude but that of, at least, moral hostility to slavery, I have no doubt that the dissolution of the Union would be both desired and promoted by a vast majority of those who now hope for its perpetuation.

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I am, sir, respectfully yours,

GEORGE P. MARSH.

Hon. William H. Seward, *Secretary of State.*

Mr. Seward to Mr. Marsh.

No. 8.]

Department of State,
Washington, July 23, 1861.

Sir: Your despatch of June 27, No. 3, has been received. The account it gives us of your reception and of the sentiments and feelings of the Italian government in regard to the United States is very satisfactory to the President. We are pleased with your prompt and vigilant attention to the matters affecting the public interest, especially the supposed project of fitting out hostile armaments at Genoa.

Renewing my best wishes for the prosperity of Italy under the new ministry so happily inaugurated, I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c., &c., &c., Turin.*

Mr. Seward to Mr. Marsh.

[Extracts.]

No. 11.]

Department of State,
Washington, July 30, 1861.

Sir: * * * * * * * * *

You will express to Baron Ricasoli the high appreciation which this government entertains of his decision in regard to our affairs.

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You will be pained by the intelligence of a reverse of our arms near Manassas Junction, and I fear it will, for a time, operate to excite apprehensions and encourage the enemies of the Union in Europe; but the blow has already spent its force here without producing any other effect than renewed resolution and confidence in the success of the government. The lesson that war cannot be waged successfully without wisdom as well as patriotism has been received at a severe cost; but, perhaps, it was necessary. It is certain that we are improving upon it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c.*, *&c.*, *Turin.*

Mr. Marsh to Mr. Seward.

No. 14.]

Legation of the United States,
Turin, September 2, 1861.

Sir: I have the honor to enclose herewith a copy of a note addressed by me to Baron Ricasoli on the 26th ultimo, in relation to the proposed convention for the accession of the United States to the declaration of the congress of Paris in 1856.

By my instructions, under date of April 24, 1861, I am directed as follows: "To ascertain whether it (the government of his Majesty the King of Italy) is disposed to enter into negotiations for the accession of the United States to the declaration of the Paris congress, with the conditions annexed by that body to the same; and if you shall find the government so disposed, you will then enter into a convention to that effect, substantially in the form of a project for that purpose herewith transmitted to you."

The project transmitted with the instructions makes no mention of the important conditions referred to in the instructions, and therefore, in drawing up the note, I thought it best not to notice the conditions specifically, but to make the proposal in general terms, leaving that point to be arranged, if suggested by the Italian government, as I shall be instructed hereafter.

I have the honor to be, sir, with high respect, your obedient servant,

GEORGE P. MARSH.

Hon. William H. Seward,
Secretary of State.

Mr. Marsh to Baron Ricasoli.

LEGATION OF THE UNITED STATES OF AMERICA,
Turin, August 26, 1861.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, as he had the honor to state in one of his first interviews with his excellency the minister of foreign affairs, is instructed to propose the negotiation of a convention between the government of the United States and the government of his Majesty the King of Italy for defining the rights of belligerents and neutrals in maritime warfare, in accordance with the principles adopted by the congress of Paris in the year 1856.

Similar instructions have been given by the President to the American ministers at the courts of the other maritime powers, and negotiations to that effect are now in progress with all the governments represented at the congress of Paris.

It will be remembered by his excellency the minister of foreign affairs that in the year 1854 the President of the United States submitted to the several maritime nations two propositions, to which he solicited their assent as permanent principles of international law.

These were:

1. Free ships make free goods—that is to say, that the effects or goods belonging to subjects or citizens of a power or state at war are free from capture or confiscation when found on board of neutral vessels, with the exception of articles contraband of war.
2. That the property of neutrals on board an enemy's vessel is not subject to confiscation, unless the same be contraband of war.

These propositions were favorably entertained by most of the governments to which they were submitted, but no formal convention for their recognition was negotiated between them and the United States.

The congress of Paris, at which most of the European powers were represented, adopted, upon the 16th of April, 1856, an agreement embracing substantially these principles, with two additional propositions; all of which were embodied in a declaration composed of four articles, namely:

1. Privateering is and remains abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective—that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The congress further agreed to invite the maritime states not represented in that body to accede to these propositions, and the assent of the government of the United States was asked to them accordingly.

The then President of the United States, Franklin Pierce, did not accede to the stipulations of the convention, but proposed an amendment to the first article which should exempt the private property of individuals, though belonging to belligerent states, from seizure or confiscation by national vessels in maritime war; and the ministers of the United States at Paris and London were instructed to inform the governments to which they were accredited that the United States would accede to the four points above recited, provided the first of them should be amended to the effect proposed by the President.

Neither of these governments is understood to have objected to this amendment, but the negotiations were not prosecuted to a conclusion.

The President of the United States adheres to the opinion expressed by his predecessor, that it would be eminently desirable for the good of all nations that the property and effects of private individuals, not contraband, should be exempt from seizure and confiscation by national vessels in maritime war. But the proposal to that effect not having been accepted by the nations represented in the congress of 1856, he now offers to accede to the invitation of the powers, and to accept the declaration promulgated by it, deferring to a future occasion the further prosecution of negotiations for the general adoption of the amendment above specified.

The undersigned is invested with full powers to conclude, on the part of the President, a convention between the government of the United States and that of his Majesty the King of Italy for the adoption of the declaration of the congress of Paris, and begs leave to invite the attention of his excellency the minister of foreign affairs to the proposal.

The undersigned avails himself of this occasion to renew to his excellency the minister of foreign affairs the assurance of his most distinguished consideration.

GEORGE P. MARSH.

His Excellency Baron Ricasoli,
President of the Council and Minister of Foreign Affairs.

Mr. Seward to Mr. Marsh.

No. 18.]

Department of State,
Washington, September 20, 1861.

Sir: Your despatch of August 26th, No. 12, has been received.

I send you, in confidence, a copy of my latest instructions to Mr. Adams and Mr. Dayton, from which you will learn that the negotiations with Great Britain and France for an accession to the declaration of the congress at Paris have been suspended, and the causes of the suspension.

We are desirous to act in good faith, and to acquit ourselves of all responsibility for the failure of negotiations with enlightened powers for the advancement of the interests of peace and humanity; and yet we are at the same time resolved to maintain the independent position and the dignity of our government. We therefore hold ourselves ready to perfect a convention with the government of Italy for our accession; and at the same time you will not urge the proposition against any disinclination which that government may express or intimate.

We shall be the friend of Italy; and Italy, we are sure, cannot be otherwise than friendly to us, no matter what treaty relations exist or fail to be made.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c., &c., Turin.*

Mr. Seward to Mr. Marsh.

No. 32.]

Department of State,
Washington, November 22, 1861.

Sir: I have your despatch of October 29, (No. 29.)

The British and French governments, which stand at the head of the maritime powers, having declined our adhesion to the declaration of Paris without conditions which the United States cannot yield, there is no important object to be attained by pressing the same upon other powers. You will therefore let the matter rest in Italy for the present.

I think that when at no distant day it shall need to be renewed, the interest that shall move it forward will appear first on the other side of the Atlantic.

It is a matter of regret that we cannot consistently offer special inducements to military gentlemen in Italy who are unable to defray their own expenses in coming to join our armies; but we are forbidden to do so by urgent considerations. First, we do not need to solicit foreign aid, and we naturally desire to avoid the appearance of doing so. Secondly, we wish to abstain from intrusion into the domestic concerns of foreign states, and, of course, from seeming to do so. Thirdly, our own countrymen are coming forward with just claims upon all positions requiring skill in the art of war, and we must avoid jealousies between native and foreign defenders of the Union. Already the forces in the field exceed half a million, and the officers charged with organizing them report to us that those recently recruited will swell the number to seven hundred thousand. If the insurrection should continue, it will be more difficult to keep them down to a million than to lift them up to that figure. Still, we do not yet revoke what we have thus far said, and we will receive from Europe those who may come.

A consul will be appointed for Ancona.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George P. Marsh, Esq., *&c., &c., Turin.*

SWITZERLAND.

Mr. Seward to Mr. Fogg.

No. 2.]

Department of State,
Washington, May 15, 1861.

Sir: I have delayed giving you the President's instructions so long because I was preoccupied. For the first time in our history the standard of civil war has been raised with the purpose of overthrowing the federal republic. It is a cardinal point with the seditious in modern revolutions to gain aid, or at least sympathy, in foreign countries. That sympathy is sought in the form of recognition of the simulated sovereignty set up by faction. An act of recognition carries moral weight, and material aid is expected soon to follow it. No state ought to lend its support to revolution in a foreign country except upon motives of justice and humanity. But in point of fact these motives seldom prevail, and nations generally act in such cases upon calculations of profit or ambition, or in the wantonness of mere caprice. It is well understood here that the revolutionary faction has its agents abroad, soliciting European powers to intervene in this unhappy civil war. It has therefore been my duty, under the President's authority, to instruct our representatives there how to meet them and counteract their designs. I could easily imagine that either Great Britain, France, Russia, Austria, Prussia, Belgium, Spain, or even Denmark, might suppose that it could acquire some advantage, or at least some satisfaction to itself, from a change that should abridge the dominion, the commerce, the prosperity, or influence of the United States. Each of them might be believed to have envious sentiments towards us, which would delight in an opportunity to do us harm. I have therefore first addressed myself to the consideration of our relations with those countries. It is otherwise with Italy and Switzerland. The former is yet hotly engaged in the struggle to secure freedom and unity, and the latter enviably distinguished by the rare enjoyment of both. Human nature must lose not only the faculty of reason which lifts it above the inferior beings, but also the benevolence which lifts it up to commune with superior orders of existence, when the security, welfare, and happiness of the United States shall have become even a matter of indifference to Italy or Switzerland. I salute Switzerland last among the European nations only because we esteem and confide in her most.

You will say this, or anything else that may occur to you that would more pleasantly or more effectually assure the government of Switzerland of the cordial good wishes cherished for it by the President and the people of the United States.

You will, of course, need to say nothing to the government on the subject of the domestic difficulties to which I have already adverted. You will, nevertheless, not be absolutely free from all responsibility on this head. You are in a region where men of inquiring mind and active habit seek a temporary respite from severe studies and exhausting labors. The world's affairs are discussed freely, and the sentiments and opinions which influence the conduct and affect the prospects of nations are very often formed in the mountains and dells of Switzerland. You will meet there, if no others, many of our own fellow-citizens, doubtlessly of both classes—the disloyal, sometimes, as well as those who are loyal to the Constitution and the Union. Improve the calmness and candor which the contemplation of nature inspires to dissuade the discontented American from his unnatural course and pernicious convictions, and to excite the loyal to return home as speedily as possible to speak, to vote, and, if need be, to enrol himself as a soldier or a sailor in the land or naval forces for the defence of his country, of freedom, and of mankind.

Seventy years of tranquillity and harmony, unparalleled in the experience of states, have made us misunderstand the stage in our national career at which we have arrived. We had to prove, by demonstration in war, that these institutions are adapted to defence against aggression, and even for aggrandizement of empire. The proof was given, and the world has nobly confessed the truth established.

We assumed that faction could not gain consistency and make head under institutions so free, so equal, so just, and so beneficent. This was a mistake less in regard to our institutions than in regard to human nature itself. But self-complacent, and consequently self-deceived, we have come all of a sudden to meet the emergency of civil war, and we find ourselves obliged to demonstrate that our government is adapted to resist and overcome domestic faction. It is a momentous but necessary trial. Perhaps it has not come too soon. Certainly we have no apprehension of failure. Revolutions are seldom successful, even when they have just causes. Revolution without a good cause, amounting to absolute necessity, is never possible in a country where stable government is at all known by experience of its blessings. The present attempt at revolution is based on no alleged experience of oppression. It puts forth only apprehensions of danger of oppression, which the form of the Constitution and the experience of its actual working proves to be altogether impossible. It is a revolution originating only in disappointed personal ambition. Personal ambition is the least effective of all the political agencies that can be found in an extended federal republic. The revolution aims at the life of the country. It gathers the support of only that small, though very active, class of persons who are so thoughtless as to be insensible to the importance of having a country to protect and defend, with benefit to themselves and their posterity. Against it are arrayed the larger portion of our people with whom love of country is the first and strongest of all the social passions—that holy sentiment which in mature life is the strongest passion of our common humanity.

Tell the Swiss republic, then, that with God's blessing we will preserve this model of federal republican government by which they have reformed their institutions, and we invoke them to retain their own with no less fidelity. So Switzerland and the United States shall in after ages be honored as the founders of the only true and beneficent system of human government—a system that harmonizes needful authority with the preservation of the natural rights of man. Every free citizen of Switzerland who comes here, so long as he remains, is practically a citizen of the United States. He goes in and out everywhere unchallenged. Nevertheless, the American citizen in Switzerland is a stranger, and the reiterated demand for his passport at every angle in his course reminds him painfully that he is suspected. His least elevated motive for going there is trade and commerce ; but the objects of most of our citizens in visiting Alpine countries are health and study of the more sublime and attractive features of nature and a fervent admiration for the free people who dwell among them. In the United States there is not one man base enough to do or wish an injury to the enlightened government or to the people of Switzerland. Why, then, should not the government of that country make us conscious of its confidence by allowing us the enjoyment of national hospitality while we are sojourning in their beautiful country?

Please bring this subject to the consideration of the authorities, and if you find them well disposed you will be authorized to conclude a convention with them on the subject.

We very much want good a history of the Swiss Confederacy since its reformation, especially showing how faction developes itself there, and how the government works in preventing or suppressing designs subversive of the federal unity of the republic The President hopes that you will furnish it, as he knows your ability for such a task.

Please also send to the department a copy of the fullest and best history of the Swiss Confederation, (perhaps Muller's.) It is desirable, not only with a view to accurate information upon the points just adverted to, but also with reference to the legislation and its causes of the respective members of the confederation with regard to the Israelites, a subject in relation to which your predecessor has had much correspondence with that government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George G. Fogg, Esq.,
&c., &c., &c., Berne.

Mr. Fay to Mr. Seward.

[Extract.]

No. 421.]

United States Legation,
Berne, May 18, 1861.

Sir:

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Referring to my No. 417, I communicated, in addition to the English printed copy of the inaugural of the President, a carefully made German translation. I have some reason to suppose that the commissioners of the seceded States were, or would soon be, in Paris, and as Mr. Dudley Mann was informally my predecessor in Berne, and has personal friends in the governmental regions, and might profit by the occasion to slip over from London or Paris, I had another interview on the subject this morning with President Knüsel. A very severe illness had kept me some time from seeing him. As I have received not a word from the department with regard to my recall, I have not communicated officially with the government upon the subject, but the President commenced, and I am unwilling to repeat his friendly remarks. He alluded, however, to the affair of Neuchâtel, and said I must not think the government had forgotten the services I had rendered to Switzerland, and particularly on that occasion. He repeated several times; but I will not dwell furtheru pon this point.

I asked if they had any news of the commissioners of the seceded States, and said I thought they might perhaps pay Berne a visit. I then addressed to him some earnest words upon a subject in which my whole heart is interested. I told him my public and private intelligence convinced me that the movement of the south would be suppressed; that it was as insane as it was guilty; that the slowly rising spirit of the north, and the calm and efficient preparations made by the President, would, in due time, bring it to a termination; that the United States had always loved Switzerland, but that I did not expect from him any sentimental engagements. I wished, however, officially to express the opinion of my government, and, privately, my own deep conviction, that the wise course of Switzerland would be a flat refusal to receive, in any way, the commissioners of the revolted States; that a different course would be painfully remembered, while a prompt action in this direction would surely draw much closer the bonds of friendship between the two republics. I called his attention to the proclamation of the British government, in which the seceded States are termed the "so-called Confederate States."

The President warmly acquiesced, and assured me that he completely shared my opinion.

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I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

Hon. William H. Seward,
Secretary of State of the United States of America.

Mr. Fay to Mr. Seward.

[Extract.]

No. 426.]

United States Legation,
Berne, June 3, 1861.

Sir:

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Mr. Fogg has not yet arrived, although the telegraph announces that he is in London. Everything is ready for him here.

A despatch for him has been received but not opened. Your circulars of April 27 and of May 6 have been received. The copies of the proclamation have been communicated to the federal council.

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I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

Hon. William H. Seward,
Secretary of State of the United States of America.

Mr. Fay to Mr. Seward.

[Extract.]

No. 428.]

United States Legation,
Berne, June 7, 1861.

Sir:

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I had an earnest conversation with Mr. Frei Herosée on the subject of the possibility of the reception of any southern agent. He is an old friend of Mr. Dudley Mann. He is also one of the oldest and most influential members of the federal council and founders of the government, and has been several times President. He confirmed warmly all that President Knüsel had said, and in plainer terms. Switzerland, he said, had always opposed rebellion and revolution everywhere. He alluded, I presume, to the days of 1848, during which this republic acted with equal liberality and wisdom. She has herself passed through the same ordeal as that through which God is now leading us, and she knows what it is for foreign powers to cast the weight of their open encouragement or secret intrigue into the wrong scale. Whatever importance may be attached to the course which Switzerland may pursue on this point, I am almost positive no agent would be received.

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I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

Hon. William H. Seward,
Secretary of State of the United States of America.

Mr. Fay to Mr. Seward.

[Extract.]

No. 431.]

United States Legation,
Berne, July 2, 1861.

Sir: It is with the permission of my successor, whom I learn to regard as a friend, that I address to you this my closing despatch.

I have placed him in possession of the legation office records, cipher, library, furniture, and all things pertaining to it. An inventory has been prepared, from the despatch books, of everything received; and he will doubtless inform you that he has verified it.

Yesterday, July 1, he accompanied me to the *Palais Fedéral*, where we were received in the state reception-room by the president and by the secretary of the federal chancery, Mr. Leutscher. I handed in my letter of recall, and read, in German, the remarks I had prepared. I then formally presented my successor, who gave his *lettre de créance*, and who requested me to read a German translation of his remarks, which I did. The president then replied to the latter. I have the honor to subjoin these documents in English.

Some conversation then ensued of a friendly character. On leaving, the president informed me he would make me a visit, and, taking me warmly by the hand, he said, (alluding to Neuchâtel,) "we shall never forget what you have done for us." We then drove to all the legations, and I presented the new minister to the *chefs de mission*, commencing with the French ambassador, the Marquis de Turgot. It gives me pleasure to say Mr. Fogg obviously made a favorable impression, and that it is a sincere satisfaction for me to see in my place a gentleman who I have no doubt will represent with dignity the new country, which God is disengaging from elements irreconcilable with its character as a Christian republic.

In my remarks to the president I thought it a proper occasion publicly to record my opinion, that I might throw into the scale the influence, however small, which I might possess from my long residence in Europe.

With regard to the French and English declarations of neutrality, the enclosed extract from the "New York Commercial Advertiser" emboldened me to express the hope that those governments, whatever might have been their original intention, would be careful as to the manner of applying the principle adopted.

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I have the honor to be, sir, with the highest consideration, your obedient servant,

THEO. S. FAY.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

Mr. Fay's parting remarks to the president of the Swiss confederation.

MR. PRESIDENT. I have the honor to hand to your excellency my letter of recall, and to present my estimable successor, against whom I have only one objection—that he will, I am afraid, perform the duties of his office better than I have done. I am instructed by the President of the United States on this occasion to repeat his sincere desire to oontinue to cultivate with you relations of the closest friendship.

I resigned my appointment as minister in Switzerland, not that I had any power or right to retain it contrary to the President's wish, but I thought it my duty, from certain considerations. This course was not induced by any discontent with Switzerland. On the contrary, I admire and love Switzerland. In my official transactions with the government, and with the different members of it, I have always found good sense and *loyauté*, and my private intercourse with the nation has caused it to rise always more in my esteem. I have been struck with the pure administration of justice, the universal love of country, the modest and yet effective character of the governments, and with the liberty of conscience asserted by superior authorities, even where embarrassed by local, contrary influences. Switzerland is peculiarly blessed by the Almighty, and she has it in her power, under Him, to be the happiest country in the world. Your free development in your present form is a necessity for Europe.

Neither has my resignation resulted from difference of opinion with the President of the United States. Our country is now occupied in a struggle with an institution as unmanageable as the hydra of Hercules. It is not my wish to misrepresent the proprietors of slaves. Many of them are sincere, Christian gentlemen. But the institution in its present form is irreconcilable with our national existence, with the religious sentiment of the majority, and with the Word of God. Nothing can be clearer than the right and duty of the American people to protect themselves from its uncontrolled development, and from being drawn downwards in their career of political and religious civilization. Man should not live by bread alone, nor by cotton alone.

The election of President Lincoln is the expression of this sentiment. The struggle in which he is engaged is one of light with darkness. Every Christian government in the world must be on his side, for he represents humanity, liberty, civilization, and religion. He represents also the principle of rational, popular government, and his course thus far has given reason to believe that he has been raised up by God to steer our nation through this tempest, by a union of moderation with energy, and of rapid decision with patient mercy and calm wisdom, if no encouragement from without be offered to the insurrection. No one who prefers good to evil would place an obstacle in his path.

The movement of certain southern States—not to say persons—represents not only rebellion against a Constitution and laws framed or freely accepted by themselves, but negro slavery and the African slave trade as one of its inevitable consequences. It represents also one of the greatest crimes recorded in history—a black, secret, long-matured, treacherous conspiracy, extending its ramifications into European countries, which, among other objects, aimed at the conquest of Cuba, Mexico, and Brazil, as the basis of a great, despotic, and African slave-trade empire, and which, by the mercy of God, must be shipwrecked against the steady firmness of the President, the honesty, the patriotism, and the religious sentiment of the American people. You will judge, Mr. President; also your government and your people; Europe and history will also judge how far any government, nation, or public press, can, consistently with its character, approve or in any way encourage such an enterprise, unless ignorant of its true nature. I have no doubt this insurrection, although it has reached such proportions, will be suppressed. We have the power, the right, and the will to suppress it. It is not a war between two powers entitled to equal international rights, any more than the rebellion in India was an international war. It is an insurrection, and nothing more, and one of the most unreasonable and unjust which the world has ever seen. The American Union, carried out according to its original intentions, offers to rapidly increasing millions material prosperity, political and religious liberty. It is a blessing for mankind; whereas the rise of a southern empire, built on such foundations, and aiming at such designs, could not but be a misfortune for itself and for all the world. It is one of the signs of our times that error not only boldly raises its head, but that it invites, with effrontery, the assistance of others, and sometimes receives encouragement from quarters where it would least be expected. I here in no way allude to the declarations of neutrality lately proclaimed by two great powers, but to opinions expressed by several journals. The declarations of neutrality have been prematurely considered unfriendly acts by a portion of my countrymen. They ought not to be so taken, unless applied in an unfriendly manner; and I have no fear that either of these enlightened and friendly governments would encourage the southern movement by receiving its representatives or suffering its marine prizes to be sold in their ports; and neither do I fear, Mr. President, that the government of Switzerland, which has always on such occasions proved itself wise and just, would ever throw its weight into the scale of insane revolution, and of negro slavery disengaged from all restraint, and of the African slave trade, by receiving any representative of that portion of our States.

In concluding, Mr. President, I have the honor to bid you farewell, and, in your person, to your estimable colleagues and to your free, well-conducted, and happy country. May it never forget whence this blessing comes, and what hand is indispensable for its continued preservation! May your lakes and mountains—the admiration of the world—ever represent, as they do now, peace, prosperity, prudence in foreign policy, and, at home, Christian liberty!

Mr. Fogg's address to the President.

Mr. President: The just and lucid statement of the present condition and prospects of the United States made by my honored predecessor and friend leaves for myself little more than the agreeable duty of reaffirming what he has so well said.

There are crises in the lives of nations as well as of individuals. Switzerland has had her crises. Times almost without number her brave mountaineers have been called to arms to put down sedition at home and repel the invaders from abroad. Thanks to the God of liberty, they have always triumphed, and the land of Tell is still the home of the free.

The United States has had her crises. In her infancy, when Washington led her brave sons to maintain her right to be one of the nations of the earth, then was her crisis. Her second great crisis is now, when a despotic institution raises the standard of intestine war, and appeals to foreign governments for sympathy and aid to break down freedom and free institutions in America. This crisis, like yours, shall be decided for liberty, and America, too, shall remain the land of the free. The cloud which is now charged with destruction will soon be dispersed, and be followed by the sunshine of a purer and broader realization of the rights of mankind.

I am instructed to assure your excellency of the cordial good wishes of the President of the United States, and of his desire to cultivate and strengthen those relations of amity and sympathy which have always subsisted and ought always to subsist between governments whose political institutions are so nearly alike

In conclusion, let me say to your excellency and your associates that it will be my highest ambition during my residence in your country to so discharge all my duties that, while jealously guarding the interests and rights of American citizens, I may deserve the confidence and enjoy the personal friendship of all the members of your government. Should I be as fortunate in these respects as my predecessor has been, my highest hopes will be gratified.

President Knuesel's reply.

The Swiss confederation has always taken a lively interest in everything concerning the great sister republic beyond the Atlantic. How could it be otherwise? The similarity of the democratic federative institutions, the independence and liberty which both enjoy, and which they had to obtain by force of arms, has necessarily led to a mutual approach, however great the distance be which separates the old world from the new. In this may be found, perhaps, a principal reason why for a long series of years numerous Swiss families emigrated to the United States, where they sought and found a new home, and why the names of Swiss cantons and towns are now to be found where for thousands of years uncultivated and unpopulated forests and prairies existed. The intercourse between the two nations has since steadily increased; the produce of one country finds its market in the other, and numerous points of connexion develop themselves ever more and more.

This harmony of political principles, sympathies, and interests has for its consequence a steadily increasing approach of both nations, which has already on different occasions shown itself by marks of mutual cordiality. Names like that of William Tell, so dear to Switzerland, were given to sea vessels by citizens of the United States. The federal council responded to that salutation by hoisting the Swiss flag on the mainmast of those ships. To the colossal monument which the United States erected in memory of their liberator, the immortal Washington, Switzerland has contributed a stone with an inscription. Many more similar marks of mutual esteem might be enumerated; suffice it to add the remark that a treaty of friendship and commerce, concluded a few years ago, has but strengthened the relations between the two countries.

Switzerland, from the sincere sympathy which she has for the welfare of the Union, looks with anxiety upon the issue of the events which now shake that country. Switzerland passed through a similar crisis fourteen years ago, which threatened to tear asunder the then loose connexion of the twenty-two cantons. But renewed rose the present confederation from that tempest; strengthened internally and abroad, she now stands there, esteemed by the nations. May God grant that the connexion of the States of the United States of America may also emerge renewed and strengthened out of this crisis.

The president of the Swiss confederation presents his best thanks, through your excellency, to the President of the United States for his assurances of friendship and sympathy. He hopes that the new minister resident will thoroughly acquaint himself with our relations and laws. That would render the more possible for him a strict performance of his duties; the protection of the rights and interests of American citizens, and the preservation of a good and ever friendly understanding with the Swiss government, which wishes to unite *loyauté* with their maintenance of authority. The President of the confederation may add that he thinks the retiring minister resident has learned to esteem Switzerland, her authorities and nation, and he may give to Mr. Fay the plain assurance that he has acquired the esteem and the love of the country and her magistrates. The President of the confederation doubts not a moment that the relations between the federal council and the present representative of America will always be of the most friendly character.

Mr. Fogg to Mr. Seward.

No. 1.]

UNITED STATES LEGATION,
Berne, July 8, 1861.

SIR: Leaving New York for my post of duty on the steamer "Adriatic," the 14th day of May, I reached Berne *via* Galway, London, and Paris, June 27, having previously ascertained by correspondence with my predecessor that it would be agreeable to him for me to take possession of the office, legation property, &c., the 1st day of July.

Making it my first duty, after arriving, to call on Mr. Fay at his house, I was received with the utmost frankness and cordiality, and with the offer of every facility to render my entrance upon my new duties pleasant to myself and favorable to the non-interruption of that *entente cordiale*, now and for years past so happily existing between the American legation and the several members of the Swiss government.

Mr. Fay very kindly undertook to notify the president of the confederation of my arrival, and ask an audience to enable him to present his own *letter of recall*, and myself and my *letter of credence* on the Monday following. Having received promise of an audience on the day named, Mr. Fay called with his carriage, and we went together to the palace of the federal council. The sequel has been narrated and transmitted to the State Department by Mr. Fay in his despatch numbered 431, dated July 2, 1861.

Subsequently we called upon the other members of the Swiss government and upon the foreign ambassadors resident at Berne, to all of whom I was kindly introduced, and by all of whom as cordially received—not without uniform, and, I am sure I may add, sincere expressions of regret at the termination of Mr. Fay's official relations with the government and the diplomatic corps.

During our entire round of visits and presentations it was painfully pleasing to be constantly reminded of the profound interest with which the contest now going on in the United States, between liberty and union on the one hand, and despotism and secession on the other, is watched alike by the friends of republicanism and of absolutism. Here, however, the rebels have no friends—not even among the representatives of absolutism in Europe On all sides, the sanguine assurances I have felt at liberty to give of the certain triumph of our system and constitution of government over the conspirators for its overthrow, has seemed to give unalloyed satisfaction. That the future may justify these my assurances, will be my constant prayer, with that of millions in other lands.

I should not do justice to my own feelings did I omit to say that I have found Mr. Fay a true Christian gentleman, and an American whose heart has, by absence, lost none of its devotion to the liberties and good name of his native land. Thoroughly sympathizing with the principles and purposes of the present administration of the United States government, and possessing large experience and an enviable reputation in Europe, I trust it may not be deemed impertinent in me to express the hope that the State Department will not be a long time in finding some field where his familiarity with international and diplomatic affairs will be a necessity to the government.

With an ardent desire for the preservation of the free spirit of our government and the integrity of our national Union, I have the honor to subscribe myself, with the highest consideration, your obedient servant,

GEORGE G. FOGG.

Hon. William H. Seward,
Secretary of State of the United States of America.

Mr. Seward to Mr. Fogg.

[Extract.]

No. 6.] Department of State,
Washington, July 29, 1861.

Sir: Mr. Fay's despatch of July 2 (No. 431) has been duly received. The account he has given us of his retirement and your entrance upon the mission, as also the sentiments expressed by him and by yourself to the president of the republic, and the reply of that eminent magistrate, are exceedingly interesting. The President of the United States appreciates very highly the liberal and friendly feelings of the Swiss republic, and derives from them new motives to maintain relations so auspiciously established.

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I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George G. Fogg, Esq., *&c., &c., Berne.*

Mr. Seward to Mr. Fogg.

No. 8.] Department of State,
Washington, August 6, 1861.

Sir: Your despatch No. 1, dated 8th July last, has been received. Your account of your interview with Mr. Fay, and of the circumstances of the audience granted you by the government of the republic of Switzerland, is interesting and entirely satisfactory. The sentiments you expressed on that occasion are approved by the President of the United States, and the generous reply made to you by the president of the federal council of Switzerland, as narrated to us in the last despatch of Mr. Fay, has been received with deep emotion. We feel assured that whatever may be the changes of existing relations between us and other countries, Switzerland and the United States will always remain friends.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George G. Fogg, Esq., *&c., &c., Berne.*

Mr. Seward to Mr. Fogg.

No. 13.]

Department of State,
Washington, September 14, 1861.

Sir: Among the important instructions addressed to your predecessor are those concerning the restrictions of certain of the Swiss cantons against citizens of the United States professing Judaism—a subject which received at Mr. Fay's hands a large share of earnest attention, and upon which he addressed the department repeatedly and at much length. It is very desirable that his efforts to procure the removal of the restrictions referred to—which, though not completely successful, have no doubt had much effect in smoothing the way to such a result—should be followed up by you. You will, therefore, after having fully acquainted yourself with what Mr. Fay has done in the premises, and with the views of the department, as expressed to him in the despatches on file in the legation, take such steps as you may deem judicious and likely to advance the benevolent object in question.

It is not doubted that further proper appeals to the justice and liberality of the authorities of the several cantons whose laws discriminate against Israelitish citizens of the United States will result in a removal of the odious restrictions and a recognition of the just rights of those citizens.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

George G. Fogg, Esq., *&c., &c., Berne*

NETHERLANDS.

Mr. Seward to Mr. Pike.

No. 4.]

Department of State,
Washington, May 16, 1861.

Sir: The government is preoccupied with the civil war which has been inaugurated with the reckless purpose of overthrowing the Constitution and the federal Union. It has little time to think of our foreign relations, and when it does think of them it is chiefly to consider how and in what way it can most effectually counteract the efforts of the revolutionists to procure European intervention in their favor.

The Netherlands lost even their independence for a time through the disastrous operations of the French revolution of 1789. They are slowly, but surely, recovering advantages and prestige which they enjoyed before that calamity occurred. Their policy is peace and friendship with all nations, and certainly they have always manifested the most liberal sentiments towards the United States. In view of these circumstances and dispositions the President does not apprehend any danger that the government of the Netherlands, or its very intelligent people, will lend aid, countenance, or sympathy to the misguided partisans who, in a frenzy of passion, are compassing the ruin of our country.

I have looked through the correspondence of this department with your legation, and I find that, although our commerce is known in every part of the world, and although the Netherlands have no insignificant possessions in each of its great continental divisions, yet that there is not even one case of controversy or dispute between the two nations.

What, then, will you do at the Hague? You can do much, and, first, in relation to Japan. The government of the Netherlands is probably an ally of Japan. I enclose the copy of a note of the 14th instant, addressed by this department to the respective diplomatic representatives of Christian powers here who have treaties with Japan. You will submit the suggestions contained therein to his Majesty's government, and if they should be frankly received, I shall be prepared to submit a project of a convention to carry them into effect.

I have especially called the attention of Baron de Limburg here to this matter, and invited him to consult with his government. Should he comply with this request, your own action will be merely in co-operation with him, and the needful negotiations may be had with him here if his government shall prefer.

The government of the Netherlands may perhaps have forgotten that New York, one of the largest and most prosperous of these States, was colonized by emigrants from that country, and that their descendants still cherish lively affection for the land of their ancestors. The flow of emigration from the Netherlands to this country was arrested by the revolutionary wars which occurred in both countries at the close of the last century; but it has resumed its course within the last twenty years, and the thrifty adventurers already constitute an important portion of the population in some of our new western States. The intercourse between persons of this class and their relations and friends is very intimate. All who come hither from the Netherlands, whether as settlers or transient passengers, are admitted and enjoy entire freedom of movement, and are never required to exhibit a passport under any circumstances. It is a fact very honorable to themselves, and to their native country, that not one of them has ever manifested a purpose or even a thought of hostility against this government. I am sure that the citizens of the United States who have occasion to visit the Netherlands are equally free from any sentiments of unkindness, or of hostility against the government or people of that country. Why, then, should not the government of the Netherlands relax the rigor of its police system so far as to dispense with the requirement that the citizen of the United States shall arm himself with a passport when visiting that country? The President desires that you submit these thoughts to the minister for foreign affairs in an earnest, but not importunate manner. If they should be favorably received, you will be authorized to enter into a convention to give them effect.

One of our first treaties was made with the Netherlands in the year 1782. Article XIX of that treaty was as follows:

"No subject of their high mightinesses, the states general of the United Netherlands, shall apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the said United States of America, or any of them, or the subjects and inhabitants of the said United States, or any of them, or against the property of the inhabitants of any of them, from any prince or State with which the United States of America may happen to be at war; nor shall any subject or inhabitant of the said United States of America, or any of them, apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the high and mighty lords, the states general of the United Netherlands, or against the subjects of their high mightinesses, or any of them, or against the property of any one of them, from any prince or State with which their high mightinesses may be at war. And if any person of either nation shall take such commission or letters of marque, he shall be punished as a pirate."

There have been several changes of the government of the Netherlands since that time, and it has thus become doubtful whether that treaty is now in force.

You will have perceived in the archives of the legation a letter which was addressed to you on the 10th instant, on the subject of the amendments to the law of nations in regard to the laws of maritime war applicable to neutrals, which was proposed by the congress at Paris in 1856. It is presumed that the government of the Netherlands will be well disposed to enter into a convention for the acceptance of these propositions, the material one being in effect the same as the treaty stipulations to which I have thus referred.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c.*, *&c.*, *&c.*

Mr. Murphy to Mr. Seward.

[Extract.]

No. 52.] Legation of the United States,
The Hague, April 2, 1861.

Sir: * * * * * * * * *

I have also to acknowledge the receipt of the despatch of your predecessor, No. 37, of the 28th of February last, in relation to the so-called "Confederate States of America." Upon receiving it I called upon the minister of foreign affairs and inquired whether any person or agent had presented himself to this government on behalf of those States; and, upon receiving an answer in the negative, I desired him, in case any person should do so, to inform me immediately, and before any action should be had to receive such representative, as I would in that case make a communication to him on the subject. He promised me that he would do so. I did not deem it necessary to be more explicit at the present time.

Since my former despatch there has been a resignation of all the members of the ministry, and a reconstruction of the cabinet. Some of the old members have been reinstated, but most of the members are new appointments. The ministry of foreign affairs has been devolved upon Baron T. P. P. de Zueglen de Nyevelt—not the late minister of the same name, though he occupied the same post a number of years since.

I have the honor to be, sir, yours respectfully,

HEN. C. MURPHY.

Mr. Murphy to Mr. Seward.

No. 53.] The Hague, *April* 10, 1861.

Sir: I have the honor to acknowledge the receipt of your circular despatch of the 9th of March, in regard to the intervention of foreign powers in the domestic affairs of the United States at the present time. In compliance with the instructions contained therein, I immediately addressed the minister of foreign affairs of this government a communication, of which a copy is annexed to this despatch. The King is at present on his annual visit to Amsterdam, and will not probably return under ten days; and I presume nothing will be done in the ministry of an important character until he shall have returned. No person has yet appeared here on behalf of the seceding States; and if any one or more should come on their account, I apprehend nothing will be done by the Dutch government until the great powers shall have acted in regard to an acknowledgment of their independence or a treaty. You may rest assured that the present difficulties in the United States are regarded by this government with regret, and that it will do nothing to encourage the seceding States under existing circumstances. I speak, however, on this subject, as yet, of course without any official intimation, and merely from the tone and temper of the well-informed circles—as well those connected with the government as others. There is in the Dutch character a strong repugnance to political changes, except when a strong sense of wrong and injury exists. The government and people, as you well know, are conservative beyond any other nation. I will not fail, however, to inform you of everything which shall transpire here on this subject, and without delay.

I have the honor to be, sir, yours respectfully,

HENRY C. MURPHY.

Hon. William H. Seward, *&c., &c., &c.*

Mr. Murphy to the Minister for Foreign Affairs.

THE HAGUE, *April* 8, 1861.

The undersigned, minister resident of the United States of America, has the honor to address his excellency Baron Van Zuylen Van Nijevelt, minister of foreign affairs of his Majesty the King of the Netherlands, on the subject of the present complication of the internal political affairs of the United States, and, for the better understanding of the views of his government in relation thereto, to invite the attention of his excellency to the accompanying address of the President on assuming the administration of the federal Union. His excellency will find therein a statement of the alleged grievances, of the revolutionary nature of the proceedings of a number of the States of the Union which have attempted to secede and have formed a provisional government of their own, and of the line of policy which the government of the Union will pursue for the purpose of preserving peace and for the maintenance of the Union.

The undersigned will further remark, in explanation of this statement of the President in regard to the character of the secession movement, that the government of the United States is not simply a confederation, but a union, which has been invested by the people of the different States, acting in their original sovereign capacity, with certain powers, which are exclusive and paramount throughout the republic, such as the making of war and peace, the regulation of commerce, whether between the States themselves or with foreign nations, the establishment of post offices and post roads, the defining and punishing piracies and felonies on the high seas, the maintenance of a navy, and the laying and collecting taxes and duties for the common defence and welfare, besides various others entirely of a domestic bearing, but all operating on all the States and the citizens thereof as one people. In other words, in all that concerns the foreign relations of the several States, as well as in many details of internal regulation, the United States are as much a consolidated government as the kingdom of the Netherlands, with its provincial divisions and assemblies—the only difference being, that in the United States all powers not granted to the federal government are reserved to the States and the people, and, consequently, original and more extensive powers are exercised by the legislatures of the several States. Any attempt, therefore, on the part of any State or number of States, or of any section of a State, to interfere with the exercise of the powers conferred on the general government by the Constitution is revolutionary; and any pretended or actual exercise of like powers by them is an usurpation.

The condition of affairs now existing in the United States is altogether of an anomalous character, arising from the principles upon which the government is founded. Those principles acknowledge the right of self-government in the people, and the exercise of perfect freedom of speech, of assemblage, and of the press. A majority of the electors, in the manner and under the forms prescribed by the Constitution, elect the President, and thus give administrative vitality to the government. In the canvass preceding the election, which takes place every four years, discussions of subjects of vital interest to the country are carried on in the press and on the stump with such effect that, although the voting body comprises over three millions of persons, probably not five per cent. of the whole number fail to vote on such occasions. Popular passion is aroused, every motive is appealed to by the rival parties, and, when a conclusion is reached, there is oftentimes a feeling of disappointment on the part of the minority. But this feeling has never heretofore interfered with their loyal submission to the will of the majority. In the recent canvass, the questions connected with the institution of slavery were almost exclusively agitated, principally in regard to its extension into the Territories, or, as it might be termed in this country, the lands of the generality. The decision of the people has been adverse to such extension, but altogether by the votes of the non-slaveholding States. Advantage has been taken of this circumstance by designing men to make the minority, or rather that portion of it residing in the slaveholding States, believe that their constitutional rights, in regard to that species of property known as slaves, were in danger of being destroyed by the majority. The fear of such a consequence is groundless; but, acting upon such apprehensions, the people of the seceding States have precipitated themselves into their present position.

No complaint has been made in any quarter of any improper act of the general government, or of any violation by it of its powers, or of the rights of slaveholders, as a ground for the existing discontent. The evils are anticipatory only, so far as the action of the general government is concerned. On the other hand it is true that, notwithstanding the apprehensions and fears which have been excited in the bosoms of a portion of the American people in regard to the policy of the government, and the steps which have been taken by them for the formation of an independent government, it is not to be doubted that the great majority of the people of those seceding States still cherish a love for the Union of their fathers, its memories, its prestige, and its blessings. Independent of this fact, the permanent dismemberment of the Union is fraught with so much evil to them, as well as to the country at large, as to justify the belief that a calm view of the consequences, combined with their patriotism, will cause them to retrace their steps. A separate government on their part entails the necessity not only of an entire new corps of officers of government, but also of a standing army where none now is necessary, of an independent navy, of a cordon of revenue officers along an extensive coast and frontier line; all attended with heavy expense and increased taxes. These consequences, and the severance of family ties and brotherhood existing between individuals residing in different States, are to come home to them when passion and delusion shall have passed away; and when they shall discover, as discover they will, that the general government entertains no designs against their peace or property, but on the other hand will, as it is bound to do, defend both.

The undersigned would also impress upom the government of his Majesty the fact that no one questions the election of the President according to the provisions of the Constitution. He is the choice of the country, and is fairly entitled to the exercise of all the powers conferred upon the executive head of the federal government by the Constitution. Every citizen within every State is bound to obedience to his lawful authority. It is the sworn duty of the President to administer faithfully the Constitution and laws of the United States, and the obligation of every citizen and individual is perfect to uphold and sustain him in its performance. But the President will seek by a just and liberal administration, and by a paternal regard for the rights and feelings of all sections of the country, to give occasion and opportunity for the deliberate and loyal action of the people. It is under these circumstances that the President entertains the fullest confidence in the restoration of the harmony and unity of the government at no very distant day.

The friendship and good will which his Majesty the King of the Netherlands has always manifested towards the United States, the President regards as an assurance that his Majesty's government will not yield to solicitations to intervene in any unfriendly way in the domestic affairs of the United States. It is evident that any encouragement to disaffection from abroad would thwart the efforts of the President for a reconciliation and defeat his just expectations in that regard. It is a question, moreover, which involves important interests to all nations with which the United States are in commercial relation, and to all constitutional governments. The form of government which the people of the United States have adopted is one which experience has proven is best adapted for the peace and protection of the States, for the welfare of the people, and for the development of the enterprise and resources of its vast territory. Nor has its influence, it is believed, been without its salutary effect upon the fatherlands, whence that population has originally sprung.

It has, however, been a government of example only as to other nations, and has steadily pursued the policy of not interfering with their internal affairs. Under it close commercial relations have sprung up, particularly with all the western powers of Europe, and with the kingdom of the Netherlands have never for a moment—now more than three-fourths of a century—been interrupted. If at present there happen some inconveniences to the trading interests of the subjects of his Majesty, it will be the endeavor of the President to render them as light and transient as possible; and should any injury be sustained therefrom by the subjects of his Majesty, the President is determined, the undersigned is instructed to say, that they shall, so far as it may rest with him, be amply indemnified. Should a state of civil war be precipitated, by any cause whatever, those inconveniences would be turned into evils of a wide-spread and disastrous character to other nations. Not only would the channels of commerce be closed, or, at least, seriously interrupted, and the agricultural and mining products of the United States, many of which have become necessary for other nations, be withheld; but the political systems of Europe and the cause of well regulated and constitutional government would suffer everywhere. A state of anarchy must ensue if the revolution be pursued. It is not to be expected that an empire of thirty-one millions of souls can be broken up, and the glories and blessings of its free government be thrown away at the behest of six millions, one-half of whom only are of the white race. The policy hitherto has been, on the part of the general government, and will continue to be, to avert such a calamity; and in asking the non-intervention of friendly nations, while it pursues a course of peace itself, it demands, it is confidently believed, what is most consistent with the cause of humanity and good government everywhere. And to no power is this caution addressed with more confidence than to his Majesty the King of the Netherlands.

The undersigned embraces this occasion to renew to his excellency Baron Van Zuylen Van Nijevelt the assurance of his high consideration.

HENRY C. MURPHY.

Mr. Murphy to Mr. Seward.

No. 55.] THE HAGUE, *April* 30, 1861.

SIR: I have the honor to transmit to you hereunto annexed a copy of the reply of the minister of foreign affairs to my note addressed to him on the 8th instant, of which a copy was transmitted to you with my despatch, No. 53, of the 10th instant. After reciting very particularly the contents of that note, and expressing the regrets of his Majesty at the posture of our affairs and his hope that the difficulties will be surmounted, the minister concludes in these words:

"The undersigned, in acquitting himself of the orders of the King, has the honor to bring at the same time to the knowledge of Mr. Murphy that, already in the month of December last, the envoy of the King at Washington had recommended to the Dutch consuls in the United States to abstain from all intervention in the political affairs of the country within their jurisdiction, and that this requirement has been approved by the government of the Netherlands."

If the note required an answer at this time, it certainly should have received something more to the point than this paragraph. I apprehend, however, that this government will say nothing in regard to the recognition of the independence of the seceding States until the great powers of Europe have taken their ground, and that it will follow them if they be in accord.

I have also the honor to acknowledge the receipt of your despatch No. 39, with the gold medal for Captain Van Albuy, of the Dutch bark Hendrica. I have, in accordance with your direction, transmitted the medal to the minister of foreign affairs, with a request that it be presented to Captain Van Albuy in the name of the President.

I am, sir, yours respectfully,

HENRY C. MURPHY.

Hon. William H. Seward, *&c., &c., &c.*

M. Zuylen de Nijevelt to Mr. Murphy.

[Translation.]

The Hague, *April* 26, 1861.

The undersigned, minister for foreign affairs, has had the honor to receive the note which Mr. Murphy, minister resident of the United States of America, has pleased to address to him on the subject of the existing complications of political affairs in the United States; the said note being accompanied, for the better understanding of the views of his government, by the address delivered by his excellency the President on assuming the administration of the federal Union.

In calling, by his note, the attention of the undersigned to the exposition contained in the address of the wrongs alleged by some States of the Union, of their proceedings to attempt a separation, and the formation of a separated provisional government, as well as on the line of conduct which the federal government proposes to follow for the purpose of preserving peace and upholding the Union, Mr. Murphy further remarks, in explaining this part of the President's address, upon the character of the secessional movement, that the government of the United States is not merely a confederation but a Union, invested by the people of the different States with powers, exclusive and controllng throughout the republic—powers which, embracing the foreign relations and numerous details of domestic interest, operate over all the States and over their citizens collectively, so that, adds the note, any attempt of any State, of a number of States, or of any part of a State, to interrupt the exercise of the powers confided to the general government is revolutionary ; and any exercise, pretended or real on their part, of like powers, is usurpation.

After having enunciated these principles as the basis of the general government, and pointed out the mode established for the election of President, the minister resident enters into some details about the recent election of the actual President; the result is, that on former elections the will of the majority has been loyally submitted to, but that this example has not been followed by the minority in respect to Mr. Lincoln, whose election, furthermore, is in nowise contested in regard of its constitutional validity. This fact the said note attributes to apprehensions entertained in the slave States that a blow might be aimed at this portion of their property—apprehensions which nothing in the intentions of the general government justify, but which have prepared the way upon which those States have rushed.

Nevertheless and despite the fears excited among a noticeable portion of the American people, notwithstanding the attempt made to form an independent government, the government of the United States is persuaded, according to the note, that the great majority of the people in the separatist States will constantly preserve its regard for the Union of their fathers, their memory, their influence, and their greatness. But, independently of this fact, the mischiefs and disadvantages which a permanent dismemberment of the Union would draw, as well upon the separating States as upon the country generally, justifies the expectation that upon a calm review of the circumstances they will come back upon a better track.

The President, flattering himself that he will see the harmony and unity of the government soon established, and relying on the friendship and good understanding existing between the two countries, expresses through the channel of Mr. Murphy his confidence that his Majesty the King of the Netherlands will not lend himself to applications for interference in the domestic affairs of the United States, unless in an amicable and conciliatory sense, nor to any encouragement whatever of the disaffected, which would only counteract the efforts of the President to bring about a reconciliation.

Finally, Mr. Murphy wishes to give assurance that the President will strongly endeavor to lessen as much as possible the inconveniences which must result to commerce from the actual condition of things, and that he proposes to indemnify the injury which the subjects of his Majesty may suffer as far as may depend upon him.

The undersigned having placed the above-mentioned note before the King, his Majesty was particularly grieved by its contents. He has charged me to signify this to the minister resident, adding that if he deeply deplores the situation in which the United States are for the moment placed, nevertheless he has been happy to witness the confidence which the government expresses of being able to surmount existing difficulties; that he entertains the most sincere wishes for the success of the efforts which will be made for the purpose of saving and preserving not only the interests of the States of the Union, but also the interests of the political and commercial world in general.

The undersigned, in acquitting himself of these orders by these presents, has the honor at the same time to bring to Mr. Murphy's knowledge that, so long ago as the month of December, the King's envoy at Washington directed the consuls of the Netherlands in the United States to abstain from any interference whatever in political affairs in the districts of the consular offices, and that this prescription was approved afterwards by the government of the Netherlands.

The undersigned seizes this occasion to reiterate to Mr. Murphy the assurances of his high consideration.

DE ZUYLEN DE NIJEVELT.

Mr. Murphy to Mr. Seward.

No. 56.] THE HAGUE, *May* 27, 1861.

SIR: I have the honor to inform you that no communication has as yet been made to this government on behalf of the seceding States; nor, as far as I can learn, has any attempt been made by private persons to fit out vessels to attack our commerce. I have received a letter from an officer of the Dutch cavalry, tendering his services to the United States, but I have declined to forward the same to my government, assuring him that the people of the United States would dispose of the question themselves. On the other hand, it is not to be disguised that public sentiment here is much more favorable to the seceding States than it has been. The message of Mr. Davis, recently delivered to the congress of those States, has been extensively published here, in substance, not at full length, and has had much influence on the question from the specious ground of the Union being a mere confederation of independent States. Besides, Holland, or the Netherlands, has had a bitter lesson of experience under similar circumstances. The rebellion of Belgium, in 1830, was resisted with all the power of this government, which would probably have succeeded in crushing it if England and France had not interfered, and the immense public debt with which this country is oppressed was then mostly incurred, while Belgium was, notwithstanding, lost. Reasoning from this point of view, there are not a few who regard the present position of the United States an expensive and useless effort. I state these circumstances for your information.

The affairs of this country are in a prosperous condition. The great calamities by inundation both here at home and also in Java have shown that there is abundant resources to meet such misfortunes. They have called forth and received liberal contributions from private persons, without requiring any aid from the government. Political matters are quiet. The first chamber of the states general is now in session, and is engaged in considering the bills adopted by the other body, the most important of which are those relating to the budget and the reorganization of the judiciary.

I have the honor, sir, to be yours respectfully,

HEN. C. MURPHY.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Pike to Mr. Seward.

[Extracts.]

No. 1.] LEGATION OF THE UNITED STATES,
The Hague, June 8, 1861.

SIR: I hasten to inform you that his Majesty the King of Holland received me to-day in private audience, agreeably to the prescribed ceremonial, and that I delivered to him in person my credentials as minister resident of the United States at this court.

I arrived here on the first day of the present month and have waited till now for my audience. In my interview with his Majesty I took occasion to express the earnest desire of the President to maintain and cultivate those friendly relations that have so long and so happily subsisted between the United States and Holland, and especially with his Majesty's government.

I further observed that it would be my cherished aim, as it would be my most pleasing duty, in the discharge of my official duties, to foster and promote the good understanding now existing between the two countries. The King received me graciously, and promptly came forward to receive my credentials, and at once entered upon some friendly inquiries as to whether I had been in the country before or had been elsewhere in the diplomatic service. I replied that our American diplomatists generally were not educated after the European method, and that we labored under some disadvantage in consequence. His Majesty remarked that he had had the pleasure to meet Mr. Buchanan in Holland after he had served in Russia and in England. After some further brief conversation, in which the King expressed his pleasure at making my acquaintance, the audience terminated.

I found, on my arrival here, your despatch, No. 2, of the date of the 10th of May, covering a circular of the 6th of that month, in relation to agents of insurrectionary assemblages sent to Europe on errands hostile to the peace of the United States; also a copy of a despatch of the 24th of April, addressed to the several ministers of the United States accredited to the maritime powers whose plenipotentiaries composed the congress at Paris the 16th of April, 1856, calling their attention to the importance of endeavoring to negotiate with those powers conventions upon the subject of the rights of belligerents and neutrals in time of war; also the draft of a convention in reference to the subject therein discussed, with a full power and instructions to execute the same with the government of the Netherlands. I shall lose no time in communicating with the Dutch government upon the subject. Meantime I will observe that in an informal conversation with the minister of foreign affairs, since my arrival, I learned from him that Holland was the first power, not present at the convention referred to, to acquiesce in the propositions there laid down.

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I cannot learn that any agent or agents of the seceding States have appeared in Holland for any purpose connected with their revolutionary or warlike plans, and from what I see and hear I conclude that no countenance would be given to them if they should.

The death of Count Cavour, the news of which reached here the morning of his decease, has created a profound sensation in diplomatic circles and is deeply deplored by the friends of Italy as an irreparable loss to that country.

I beg to add that I have found my predecessor, Mr. Murphy, unceasing in his endeavors to facilitate my labors here, and it gives me unfeigned pleasure to bear this testimony in his behalf, and to the highly honorable position which I believe him to hold among his colleagues.

I have the honor to be, with great respect, your obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State.

Mr. Pike to Mr. Seward.

[Extract.]

No. 2.]

Legation of the United States,
The Hague, June 12, 1861.

Sir: I have taken the earliest opportunity to have an interview with the minister of foreign affairs upon the condition of the internal concerns of the United States, and also upon the subject-matter of your despatch No. 2, to which I referred in my last.

I assured him of the determined purpose of the United States government to put down the rebellion of the seceding States at all hazards, and stated its determination to adopt whatever measures are necessary to accomplish that object. I explained to him the character of the rebellion, and showed it to be merely a war in behalf of African slavery, and that if we had no slavery we should have no war and no rebellion. I further explained that the government possessed extraordinary means of ending the rebellion whenever it chose to employ them. The union of the States could be restored whenever the government saw fit to render the institutions of the several States homogeneous. For when they were once made free States there would be no wish to separate and no tendency to separation. But I observed that the government was desirous to adopt only moderate measures, and hoped that such measures would be sufficient to cause the leaders of the rebellion to succumb and to restore peace. But to accomplish the high object of maintaining the government and preserving the territory of the country from dismemberment, it was ready to make any sacrifice of mere material interests that necessity demanded. I showed that the government had abundant resources, and more men offering for the military service than it could employ.

The minister of foreign affairs, in reply to my inquiries, informed me that no agent or agents of the seceding States had appeared here, though he had heard they were in London. He said they would receive no countenance if they were to come. He observed that the Dutch government had considered the question of the proposed letters of marque to be issued by the seceding States, and were upon the point of issuing a proclamation and orders forbidding the use of their ports by privateers, a copy of which he said he would furnish me as soon as issued.

He expressed the opinion that the powers of Europe were unanimously in favor of the Paris declaration abolishing privateering, and said if the United States would concur in it, that privateers would have to be regarded as "sea-robbers." He believed there would be no opposition to negotiating treaties, based on the propositions of the Paris conference, with all the European powers which had agreed to them, of which Holland was one.

The minister seemed to be aware of the causeless character of the rebellion in the seceding States, and of the ability of the government to deal with it, concurring in the opinion that we had more men than were needed.

He informed me that his government had ordered four ships-of-war to be in readiness to sail for America to look after its commercial interests there, and that the first ship would be despatched on the 15th instant, and that the others would speedily follow. I subsequently learned from the minister of marine that the fleet would consist of two frigates and two brigs-of-war, and that after the flag-ship had communicated with the Dutch minister at Washington, the fleet would rendezvous at Curaçoa, and spend the winter in the West India seas.

I forebore to press the question of the immediate negotiation of a treaty in reference to privateering. Having satisfied myself of the favorable disposition of the government in respect to the question, and having learned its intention to issue the proclamation and orders referred to, and intimated with sufficient distinctness the ground the United States government was now disposed to occupy on that subject, I thought it prudent to await further developments of the question by our ministers at the courts of France and England, whose example Holland would be sure to wait for. I did not deem it advisable to ask the government here to take a lead to which I was aware it would be adverse. I shall be on the alert to seize the proper moment to recur to this subject.

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I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

[Extracts.]

No. 3.]

Legation of the United States,
The Hague, June 14, 1861.

Sir: I received yesterday your circular of the 20th of May, relating to the purchase of articles in Europe, contraband of war, for the use of persons in insurrection against the United States government.

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The extraordinary unanimity and energy displayed by the government and loyal people of the United States in their measures to suppress the rebellion of the seceding States excites constant comment and high admiration in all quarters on this side of the Atlantic. The echoes of the first utterances of the British trading public, in favor of permitting the peaceable secession of the revolting States, have quite died away, and, instead, is now heard denunciation of the folly and madness of the secessionists, along with the expression of a general judgment that they will inevitably be forced to succumb. The growth of this sentiment, fostered by the character of the almost daily news from America, is strengthening the cause of the government on this side of the Atlantic and correspondingly weakening the cause of the secessionists. I think, therefore, that the whole weight of European opinion, which naturally desires a speedy end to the war, will soon be thrown in great force against the revolting States, and thus furnish important moral aid in putting an end to the struggle. I am satisfied, from what has come under my personal observation, that the high tone adopted by the United States government in regard to foreign interference in behalf of the secessionists has had a most salutary influence upon the action of European governments, great and small. Many of them have no objection to seeing the United States in difficulty; but they entertain a healthy apprehension that our government may find a speedy way out of it, and retain a lively recollection of those who would take advantage of its temporary embarrassments.

I have the honor to be, with high respect, your most obedient servant,

JAMES S. PIKE.

Hon. Wm. H. Seward.
Secretary of State.

Mr. Seward to Mr. Pike.

No. 6.]

DEPARTMENT OF STATE,
Washington, June 14, 1861.

SIR: Mr. Murphy's despatch of the 10th of April, (No. 53,) informing us that he had submitted our circular letter, with an appropriate communication of his own, to the Baron Zuylen, his Majesty's minister for foreign affairs, was duly received; and we have also received Mr. Murphy's despatch, No. 55, with which was transmitted a copy of the reply of the government of the Netherlands to the papers thus submitted to them.

Mr. Murphy executed the duty committed to him in a very proper manner, and you are instructed to express to his Majesty's government the President's high appreciation of the just and friendly sentiments which that government has manifested and expressed in regard to the domestic disturbance in our country, which, happily, now daily loses something of the formidable character which it at first assumed.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extract.]

No. 4.]

LEGATION OF THE UNITED STATES,
The Hague, June 16, 1861.

SIR: I have obtained from the minister of foreign affairs copies of the proclamations about to be issued by this government in relation to the letters of marque recently issued by the Montgomery revolutionists.

I have the honor to enclose the copies transmitted to me in the original Dutch. I see the instructions to ministers forbid the application of the contingent fund to pay translators, and I infer from this that the department prefers original documents. These papers warn the Dutch people against privateering, as an unlawful proceeding which may be deemed piracy, and they forbid the use of the ports of the Netherlands to privateers under any flag. They refer also to the fact of the adhesion of Holland to the declaration of the congress of Paris, in respect to maritime rights, made in 1856. It will likewise be observed that the Dutch government abstains from following the British example in excluding prizes brought in by ships-of-war.

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I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

HON. WM. H. SEWARD.
Secretary of State, Washington.

[Translation.]

In obedience to the King's orders the ministers for foreign affairs, of justice, and of the marine, present to the knowledge of all it may concern, that to guard against probable difficulties during the doubtful complications in the United States of North America, no privateers under any flag soever, or provided with any commission or letters of marque, or their prizes, shall be admitted into our havens or seaports, unless in case of marine disaster, and that requisite orders be issued that under any circumstances such privateers and their prizes be required to go again to sea as speedily as possible.

At the Hague.

The ministers above named.

[Translation.]

The minister for foreign affairs and the minister of justice, by the King's authority, warn, by these presents, all inhabitants of the kingdom, that during the existing disturbances in the United States of America they in nowise take part in privateering, because the Netherlands government has acceded to the declaration upon maritime rights set forth by the Paris conference of 1856, whereby, among other matters, privateering is abolished, and no recognition of commissions got for letters of marque permitted. Also that commissions and letters of marque, in conflict with the aforesaid prohibition, which may issue to inhabitants of the Netherlands, cannot have a lawful effect in behalf of the King's subjects, or of any abroad who are in subjection to the laws of the kingdom. Those who, under such circumstances, engage in or lend their aid in privateering to other people, will be considered as pirates, and prosecuted according to law in the Netherlands, and subjected to the punishment provided for the commission of such offences.

The Hague.

The ministers above named.

[Translation.]

The minister for foreign affairs, apprised by a communication from the minister of marine, that the King has authorized the naval force in the West Indies to be seasonably strengthened by his Majesty's steam frigate Zealand, and the screw propellers Dyambi and Vesuvius, for the purpose of giving protection to the trade and navigation of the Netherlands during the contest which seems to be in existence in the United States of North America, wherever it may be desired, therefore esteems it to be his duty to direct the attention of ship-masters, consignees, and freighters, to the peril to which their insurance against loss will be exposed by any violation of the obligations imposed on neutral powers to respect actual blockades, and not to carry contraband of war, or despatches of belligerents.

In these cases they will be subject to all the resulting losses that may follow, without the benefit of any protection or intervention on the part of his Majesty's government. Of which take notice.

The Hague, *June*, 1861.

The minister above named.

Mr. Seward to Mr. Pike.

No. 8]

DEPARTMENT OF STATE,
Washington, July 1, 1861.

SIR: Your despatch of June 8 (No. 1) has been received. The President approves of your conduct and the sentiments you expressed on the occasion of your first audience by his Majesty. We are gratified by your confirmation of the high opinion we had formed of the fidelity and diligence of your predecessor.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extracts.]

No. 7.]

UNITED STATES LEGATION,
The Hague, July 4, 1861.

SIR: Referring to your last despatch, in which you say "the government has little time to think of its foreign relations, and when it does think of them, it is chiefly to consider how and in what way it can most effectually counteract the efforts of the revolutionists to procure European intervention in their favor," I beg to observe that within my circle of observation I find no occasion to change the opinion I have heretofore expressed in regard to the general good dispositions of the European governments towards that of the United States.

That there is any feeling of active sympathy, I should fear to allege. Every nation has its own peculiar, and to itself, important cares and difficulties, and each devotes the most of its time and attentions to these, caring comparatively little for those of others except so for as they affect their own. The domestic disturbances of a country three thousand miles away is thus regarded with a philosophic equanimity, and I think I may say with very great indifference except in respect to the commercial bearing of the events occurring there. But if little especial sympathy is felt for the United States government, still less is felt for the insurgents, whose revolt is seen to have caused the dire calamities now existing. So that we may still be allowed to claim a balance in our favor of the good wishes of European governments.

The revolutionary state of things in the United States has been, and is being very generally and thoroughly discussed in European journals, and all such discussion favors, of necessity, the cause of the government. This is especially true of the discussions in the German publications. *

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In Germany, where discussion always partakes more of an absolute nature than anywhere else, from causes not necessary to delineate here, American affairs are more justly and comprehensively handled, and being more completely divested of their transitory features, results as I have stated.

On the whole, I think our government and the people it represents have not, thus far, any adequate cause to complain of the attitude of European governments, or the state of European opinion, toward them. The insurgents are nowhere in favor, and certainly have not received so much toleration and encouragement in Europe as was extended to them by a portion of our own press and by the administration of Mr. Buchanan, previous to the breaking out of the war.

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We all feel the deepest interest in the progress of events at home, and the utmost solicitude to do on this side of the Atlantic whatever is possible to further the ideas and purposes of our government. For my own part I am most anxious to go wherever, and to do whatever, I can to promote the designs and aid the labors of the administration in the great work devolved upon them.

I have the honor to be, with the highest respect, your obedient servant,

JAMES S. PIKE

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 9.]

DEPARTMENT OF STATE,
Washington, July 8, 1861.

SIR: Your despatch, No. 3, dated June 14th has been received, and the information which it brings is a cause of high satisfaction. Your proceedings in the various matters mentioned in that communication are approved.

I am, sir, respectfully your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 11.]

DEPARTMENT OF STATE,
Washington, July 8, 1861.

SIR: Your despatch, No. 4, dated June 16 has been duly received.

You will, at the first convenient opportunity, make known to the minister of foreign affairs the satisfaction with which the United States has received intelligence of the prompt decision and friendly action of the government of the Netherlands on the subject of the disturbances occurring in our country.

You will receive herewith, confidentially, a copy of my last despatch to Mr. Dayton on the subject of the proffer of our adhesion to the declaration of the congress of Paris. It will serve, I think, to relieve your uncertainty, and to indicate the course you shall pursue. Only Great Britain and France have assumed to say to us that they regard our country as divided or broken, for any purpose, whether of war or of peace. And we have not thought proper to receive that communication from them. We treat as being the sovereign government over all the Union—the disloyal and the loyal, all alike—or we do not treat at all. This simple statement will, perhaps, be necessary to make the paper addressed to Mr. Dayton clearly intelligible to you.

These latter remarks you will consider as confidential.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extract.]

No. 8.]

United States Legation,
The Hague, July 12, 1861.

Sir: I have communicated to Baron de Zuylen, as directed, your high appreciation of the course of his government on our domestic affairs, as manifested and expressed in his reply to my predecessor's communication of the 8th of April last.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 12.]

Department of State,
Washington, July 26, 1861.

Sir: Your very interesting despatch of June 22 (No. 6) has been received. The President is gratified with the just and proper sentiments expressed by the government of Holland concerning the United States.

Subsequently to the sending of my despatch to you concerning the affairs of the western powers in Japan, communications have been received from the Tycoon, and his ministers for foreign affairs, measurably supported by Mr. Harris, our excellent representatative there, urging a delay in opening the ports under the treaty in terms so strong that the President has concluded that I shall have a conference here with the representatives of the powers interested in the question. This conference will be held next week. You will be advised of whatever is considered.

We have met a reverse in arms. But though at first it seemed appalling, because it was as severe as it was unexpected, yet the result is even now seen to be only a signal for greater effort and more determined resolution.

I send you, confidentially, a copy of my most recent despatch to Mr. Adams.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 15.]

Department of State,
Washington, August 15, 1861.

Sir: We learn, in a manner which obliges us to give unwilling credit, that the Sumter, an armed steamer, well known through all the American seas to be a privateer fitted out for and actually engaged in depredations upon the commerce of the United States by some disloyal citizens, under the command of an officer named Semmes, on or about the 17th of July last, entered the port of Curaçoa and communicated directly with the local authorities of that island; that she was hospitably received there and was permitted to take a large quantity of coals, (said to be 120 tons,) and also to take on board a large supply of provisions; that the privateer's crew was allowed entire freedom in the place; that when one of the crew had deserted, an order was given by the authorities of the port for his arrest; that the attempt for that purpose having proved unsuccessful, the same authorities pledged themselves that the arrest should be afterwards effectually made, and that the deserter should be held in custody, to be surrendered to the pirate captain on his return homeward to the island.

You are instructed to bring this matter immediately to the notice of the government of the Netherlands. The subject of damages for so great a violation of the rights of the United States will be considered when we shall have properly verified the facts of the case. In the mean time you will ask the government of the Netherlands for any explanation of the transaction it may be able or see fit to give. You will further say that the United States, if the case thus stated shall prove to be correct, will expect, in view of the treaties existing between the two countries, and the principles of the law of nations, as well as upon the ground of assurances recently received from the goveror of the Netherlands, that it will disown the action of its authorities at Curaçoa, and will adopt efficient means to prevent a recurrence of such proceedings hereafter. If the case thus presented shall not be found entirely erroneous, or be very essentially modified, the United States will expect that the governor of the island of Curaçoa will be promptly made to feel the severe displeasure of the government of the Netherlands, a country with which we have lived on terms of unbroken friendship for three quarters of a century.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq , *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 13.]

United States Legation,
The Hague, August 18, 1861.

Sir: I avail myself of the departure of my predecessor, Mr. Murphy, for America, who sails in the Arago from Havre on the 20th instant, to send you this communication.

The news from America to the 8th instant, which comes to-day by telegraph, is received with satisfaction. The continued successes in Missouri; the election of a majority of Union representatives to the Kentucky legislature, giving renewed assurance of the conservative position of that important State; the prevailing quiet in Maryland and Delaware; and the failure of the confederate commanders to take any advantage of their recent extraordinary good fortune, all tend to reproduce the general state of feeling that prevailed on this side of the Atlantic before the occurrence of the disaster at Bull Run.

But there has never been anything here to correspond to what appears to have been the momentary depression and alarm felt at home after the repulse of our troops. The event was never regarded here to be of great significance, as it was a flight without a pursuit, and a victory of which the victor was not aware.

The reverse seems now to be all summed up in the fact of a failure to advance on the part of the Union forces.

Still it is not to be disguised that the obstacles to be overcome in reducing the insurgents are regarded to be formidable when the large armed force they have been able to bring into the field is considered. There exists, however, a consideration which seems to check confidence in their ability to hold out, resting on the general belief of their destitution of resources to maintain a large body of troops in the field, and that the lapse of time will thus operate unfavorably on their levies.

Your despatch of the 26th of July (No. 12) is received. I am gratified to know that I am able to communicate anything which you deem of particular interest.

It affords me still greater satisfaction to have your assurance in the copy of your despatch to Mr. Adams, therewith enclosed, that "it is not likely anything will now be done here hastily or inconsiderately affecting our foreign relations."

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

[Extract.]

No. 14.]

UNITED STATES LEGATION,
The Hague, August 28, 1861.

SIR: The mails of to-day bring intelligence from America that the privateer steamer Sumter, bearing the so-called confederate flag, has been permitted by the authorities at Curaçoa to enter and replenish her exhausted stock of fuel and supplies with which to renew her career of depredation upon the commerce of the United States.

I have instantly called the attention of this government to these reports, and have assured the minister of foreign affairs that, if they shall be borne out by the facts of the case, in view of the recent prompt and friendly action of the Dutch government in relation to privateering, they will be regarded by the government and people of the United States with equal regret and surprise.

I think it will prove that the orders of the Dutch government to their colonial authorities to exclude privateers from their ports, which were issued about the middle of June, and of which I apprised you on the 16th of that month in my despatch No. 4, have by some means failed to reach Curaçoa. The ships which were sent out were expected to rendezvous at Curaçoa and winter in those seas. But they may be delaying their visit to avoid the heats of summer. I hope to be able to afford you more detailed information by the next mail, which want of time prevents me from obtaining now in season for this.

I thought of suggesting the publication in our newspapers of the Dutch proclamations, copies of which I forwarded to you with the despatch referred to, but I concluded the department did not need my suggestions on that head.

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I have the honor to be, with great respect, your most obedient servant.

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD, *&c., &c.*

Mr. Pike to Mr. Seward.

No. 15.]

UNITED STATES LEGATION,
The Hague, September 4, 1861.

SIR: Since writing to you on the 28th ultimo in regard to my action on the strength of the public reports in respect to the steamer Sumter, I have received your despatch, No. 15, under date of the 15th of August, and also its duplicate.

I immediately addressed a communication to this government presenting the substance of that despatch. I have since had two interviews with Baron Van Zuylen, the minister of foreign affairs, on the questions involved and likely to be involved in the case. Mr. Van Zuylen has informed me that his government has received a brief communication from the governor of Curaçoa stating that the vessel in question put into the port of Curaçoa in distress, and was not a privateer.

In the course of our first interview Baron Van Zuylen dropped the remark that it was probable the vessel was regarded as a ship-of-war of the so-called Confederate States, but he subsequently seemed to desire to withdraw the suggestion.

I felt it to be my duty to protest against the idea that aid and countenance could be afforded by a friendly power to the Sumter, though she did assume the character of a ship-of-war of the insurgents. I claimed that were she afforded shelter and supplies on this ground by the authorities at Curaçoa, and should the Dutch government approve the act, it would be, substantially, a recognition of the southern confederacy, and that in my judgment such an act would be regarded by the United States as an unfriendly, and even hostile act, which might lead to the gravest consequences. I held that nothing more need be asked by the so-styled Confederate States, as a practical measure of recognition, than that a ship like the Sumter, claiming to be a national vessel of those States, should be permitted to enter the neighboring ports of foreign nations, and there obtain the necessary means to enable her to depredate upon the commerce of the United States. That such a course on the part of any power, aggravated by the fact that she was unable to obtain such supplies at home, so far from being neutral conduct was really to afford the most efficient aid to the men who were in rebellion against their own government, and plundering and destroying the vessels and property of their fellow citizens on the high seas. I protested against such a doctrine as tending necessarily to the termination of all friendly relations between our government and any government that would tolerate such practices, whether that government were France or England, or Spain or Holland. I remarked that it was not for me to judge of the purposes of European powers in regard to the existing state of things in the United States; but if there were to be exhibited a disposition anywhere to take advantage of our present situation, I believed it would be found that such a course could not be taken with impunity now, nor without leading to alienation and bitterness in the future.

Baron Van Zuylen hereupon explained that the earnest desire of his government was to maintain friendly relations with the United States, and to do nothing to interrupt the existing harmony between the two countries. That the point in question had not been considered by his government, and that the whole case should receive careful attention so soon as the facts relating to it could be ascertained. He has since sent me a note on the subject, which I enclose.

The baron stated to me that the governor of Curaçoa had received the instructions of the Dutch government, and the baron was of the opinion that the governor had paid too much attention to the letter, overlooking the spirit of the instructions, which remark I took to mean, that as the governor's instructions only ordered the exclusion of privateers and vessels *not* in distress, and that as the Sumter claimed to be a vessel of war, and to be *in* distress, the governor had sought to shield his action under this shallow and transparent device of the privateer, which could certainly deceive nobody who was not willing to be deceived.

I presume there is no danger of the Dutch government taking any position on this question *in haste*, as that is not their way. It is quite probable they will take time to send to Curçaoa for facts and particulars. Meantime the British government seem likely to have to act on the same question, as I see the Sumter has been at Trinidad, which will afford them a precedent, for which I am the more sorry, as I learned enough while I was in England to satisfy me that that government was likely to indulge in loose practices in regard to vessels sailing under the confederate flag.

But there is nothing in the circumstances or dispositions of this government, in my opinion, to induce them to exhibit unfriendliness to us or grant favors to the confederates, whatever there may be on the part of some of their slaveholding governors, of whom I infer him of Curaçoa to be one. I expect therefore to find the authorities here pursue a course void of offence towards the United States, however others may act. I shall make it my endeavor to induce the minister of foreign affairs to have sent out at once such instructions to the West Indies as will prevent the Sumter, or her confederates, from making use of the Dutch ports in future, whatever their pretensions.

Since penning the foregoing, and at the last moment before being compelled to close for the mail, I have had a third interview with Baron Van Zuylen. He states that the instructions sent out in June were framed purposely different from those of France, and excluded all reference to vessels of war, solely because that course was deemed more favorable to the United States government which had ships-of-war and no privateers. You will remember that I called attention to this peculiarity at the time.

In answer to my inquiry whether he would not immediately adapt his instructions to cover such cases as that of the Sumter, information of which I was desirous to transmit by the next steamer, he replied that the subject was now under consideration in the colonial department. He insisted, however, that the governor of Curaçoa declared the vessel was admitted on the ground of her being in distress, she having carried away one of her masts, and that before admitting her he convoked his council, who recommend the course he pursued.

I renewedly represented to Baron Van Zuylen the very grave character of this question and its vital importance to the commerce of the United States.

Since the government here must by this time fully understand that our government is very much in earnest on this subject, I entertain the hope that they will hurry their deliberations to a favorable conclusion.

Allusion having been made on my part to the possible influence of slaveholding sympathies in this case, I was pleased to be informed by Baron Van Zuylen that the question of slavery had been finally determined in Holland, and that emancipation is to take place in all the Dutch colonies within two years.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Baron Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, *September* 2, 1861.

SIR: I have the honor to acknowledge the receipt of your communications of the 28th of August and of 2d of September.

I hastened to communicate these notes to the minister of the colonies, and I hope to be enabled at an early day, and so soon as the reports of the Governor of Curaçoa respecting the affair of the steamer "Sumter" shall be known to me, to give you a reply upon this subject.

Be pleased, sir, to accept the renewed assurance of my high consideration.

DE ZUYLEN DE NIJEVELT.

MR. PIKE,
Minister Resident of the United States of America.

Mr. Seward to Mr. Pike.

No. 21.]

DEPARTMENT OF STATE,
Washington, September 5, 1861.

SIR: Your despatch of August 18, (No. 13,) has been received, and the opinions it expresses seem to be just, while the information it gives is very satisfactory. Treason is apt to mature its energies before it strikes the first blow; on the other hand, loyalty is unapprehensive of danger and usually waits for conviction of the necessity for defence. The course of this domestic civil war illustrates this maxim. The fortunes of the insurrection hang on immediate success and despatch; efforts, therefore, are made to secure it. I feel sure, on the contrary, that the government has been continually gaining strength with every expenditure of vigor it has made. You will be gratified to learn that the paper issued by the government is at par in the market where gold and silver are recognized as the only lawful tender in the payment of debts.

While you will not hold out inducements of rewards or bounties for soldiers, you may say, whenever it shall seem expedient, that any foreigners arriving in this country will probably find no difficulty in finding military employment.

With a high appreciation of your discretion and vigilance, I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extract.]

No. 16.]

LEGATION OF THE UNITED STATES,
The Hague, September 11, 1861.

SIR: Subsequently to the interviews I had with the minister of foreign affairs, of which I spoke in my last, and after the transmission to you of my despatch (No. 15) of the 4th instant, I addressed the following communication to Baron Van Zuylen:

"LEGATION OF THE UNITED STATES,
"*The Hague, September* 7, 1861.

"SIR: I do not understand this government to have yet distinctly conceded 'belligerent rights' to the self-styled Confederate States.

"In behalf of my government I beg to say that I trust Holland will not take this position now, and open the questions to flow therefrom. By doing so, this government may make an enemy of the United States, through the consequences growing out of that act. But Holland will not thereby make a friend of the rash and misguided men who lead the rebellion against the American government. For their object is to perpetuate and extend African slavery. With this object Holland can have no sympathy. Your government has just now determined to abolish that remnant of barbarism in your colonial possessions.

"The slaveholders' rebellion cannot be successful. The United States has determined it shall not be, and that it will preserve the union of the States at whatever cost.

"But even if we admit, for argument's sake, that some of the slaveholding States should be allowed hereafter to depart from the Union, still would the rebellion be unsuccessful in its objects, and hospitality shown to its progress be unavailing. The United States would be still resolute to defeat the purposes of the rebel slaveholder. They would do this by their own unaided efforts. They might readily co-operate with foreign powers to the same end. Such of those powers as hold possessions in America, wherein slavery has been abolished, would join in this object from motives of justice and humanity, as well as from considerations of policy and consistency. Those who have colonies where the practice still prevails would gladly concur in self-defence. England having abolished slavery, France having put it under her feet, the position of these two great maritime powers on this subject is fixed. The recent action of the French Emperor is conclusive as to the policy of that powerful monarchy. Spain, in her late trespass upon St. Domingo, has been constrained to formally stipulate that she will not reintroduce slavery in that island; Mexico and Central America will be only too eager to enter into stipulations that shall save them from any attempted spoliation, and preserve the condition of freedom from slavery for all their inhabitants now and hereafter. A common civilization throughout the world will look with favor on a common union to crush the offensive purposes of the rebellious slaveholder. His success, therefore, is out of the question. Unless the world is to go backward, and history reverse its lessons, this rebellion in its leading purpose is foredoomed. Even governments cannot save that against which humanity revolts. Surrounded by communities on the north, on the south, on the west, that have expelled slavery; the islands of the Caribbean sea nearly all emancipated from this pestilent system; the fabric of the rebellious slaveholder, which he is so madly ambitious to erect, were even its temporary establishment possible, would soon be washed away by the attrition of surrounding influence upon its crumbling foundations, and its remains left a ruin in the world.

"It is thus neither just nor politic, in any point of view, for the powers of Europe to do anything to encourage this abortive and criminal enterprise of the rebellious American slaveholder. For though they should do ever so much, the effort will be none the less abortive, through the operation of forces that governments cannot control.

"The recognition of 'belligerent rights' to the party in question by England and France was a precipitate and unnecessary act. It was surely time enough to do this when the alternative presented an embarrassing situation.

"The Dutch government has been wiser. In continuing to occupy the position of refusing all countenance to the authors of such a hateful rebellion, the Netherlands will do an act which will be viewed with the liveliest satisfaction by the United States, and, I may be permitted to add, one worthy the traditions of this ancient and renowned state, and will set an example well worthy the respect and consideration of other nations.

"The undersigned, &c., &c.

"Baron Van Zuylen, *&c., &c.*"

On the 9th instant I had an interview with Baron Van Zuylen, again urging him in the most earnest manner to issue such instructions to the Dutch authorities in the West Indies as would peremptorily exclude from their ports every species of craft set afloat by the secessionists.

Baron Van Zuylen appears, and I have no doubt is, very desirous to do all he possibly can, under what he deems the requirements of public law, to carry out the wishes of the United States in this matter. He does not consider that his government has recognized belligerent rights, and desires not to be pressed on that point. I told him we had no desire to press him to do anything, except to issue such instructions to his colonial governors as will effectually exclude the piratical vessels of the secessionists from making use of the Dutch ports.

He asked then if we would consent to have our own ships-of-war excluded. I told him if that was necessary to relieve him from a dilemma, I did not know how far such an act might be tolerated for the sake of an advantage which we could procure in no other way. We might not find fault, if thereby we found our interests advanced. But, of course, I could not undertake to commit my government on the point. I remarked that exclusion would not operate to our disadvantage, inasmuch as we had command of the sea, while it would be fatal to the plunderers, as they had no retreat at home. He intimated that his government contemplated making the proposition to the United States. He also remarked that the course of our own government threw impediments in their way; for while we regarded the secessionists as rebels, we did not seem to treat them as such when taken prisoners, not even their privateers. I concluded the interview by renewedly urging every consideration I could adduce to induce him to issue the desired orders, and to lose no time in doing it.

He will soon make a written communication on the whole subject, which I will forward at the earliest moment after receiving it.

After my interview, I addressed Baron Van Zuylen the following note:

"United States Legation,
"*The Hague, September* 9, 1861.

"Sir: Referring to our conversation of to-day, I beg to suggest that what appears to you a practical difficulty may, it seems to me, be properly overcome by your government issuing orders to its colonial authorities to regard *all* armed vessels bearing the so-called confederate flag *as privateers.* They are so in fact, and they should not be allowed to shield themselves under any other pretext. Unless a vessel claiming to be a ship-of-war exhibit some *prima facie* evidence of being such, in her size, and in her other external symbols and aspects, which these piratical craft do not, the proper authorities may well claim the right to decline all investigation of the case, and *assume* her unlawful character.

"The undersigned, &c. &c.

"Baron Van Zuylen."

* * * * * * * * *

I have the honor to be, with great respect, your obedient servant,

JAMES S. PIKE.

Hon. William H. Seward, *Secretary of State.*

Mr. Pike to Mr. Seward.

[Extract.]

No. 17.] UNITED STATES LEGATION,
The Hague, September 18, 1861.

SIR: The minister of foreign affairs has not yet furnished me with the promised communication on the Sumter case.

On the 12th instant I addressed him the following note:

"SIR: Referring to my recent communications to you on the case of the Sumter, I beg to say, in order to avoid all possibility of cavil or misapprehension, that, in speaking of or alluding to the marauding vessels of the persons in rebellion against the United States government as 'privateers,' I refer to them as such only in the sense of their own pretensions; the United States government, as you are well aware, regarding them solely as piratical craft, and the persons engaged thereon as pirates.

"I have the honor to be, &c., &c.

"Baron VAN ZUYLEN, *&c., &c.*"

* * * * * * * * *

I have the honor to be, with great respect, your most obedient servant,
JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 22.] DEPARTMENT OF STATE,
Washington, September 23, 1861.

SIR: Your despatch of August 28, No. 14, has been received. We await with some interest the explanations of the government of the Netherlands concerning the affair at Curaçoa, but at the same time with very great confidence that it will be conformable to the good and friendly relations existing between the two countries.

I am, sir, respectfully, your obedient servant,
WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*.

Mr. Pike to Mr. Seward.

[Extracts.]

No. 18.] UNITED STATES LEGATION,
The Hague, September 25, 1861.

SIR: I have the honor to enclose the communication from the Dutch government in reference to the Sumter case. Though dated the 17th, it did not make its appearance to me till the 20th.

You will perceive that the ground taken in regard to the harboring of the Sumter in the port of Curaçoa is, that it was the case of a vessel in distress.

This paper, however, goes beyond the case in hand, and argues the claim of the seceding States to be considered belligerents, and their rights as such, besides going over the whole ground of the rights of neutrals.

Baron Van Zuylen makes out to his own satisfaction that the secessionists hold that position, and that this carries with it the right of hospitality, in neutral ports, to their ships-of-war.

To my suggestion in my note of the 9th, that the Sumter was in no just sense a ship-of-war, but a privateer, or, as our government claims, a pirate, and that the want of the ordinary characteristics of a ship-of-war, besides the fact that she bore a strange flag of no recognized nationality, entitled us to ask of Holland, as a friendly nation, to *assume* her unlawful character. Mr. Van Zuylen opposes an argument to show that the Sumter was really a ship-of-war of the Confederate States, and that an impartial neutrality demanded that she be so treated. He finds his support of his position that this was the Sumter's real character in the declarations of her captain and in the allegation of *Harpers' Weekly*.

The minister of foreign affairs seems to admit the force of the argument I had previously urged, that it was inconsistent with all ideas of a just neutrality that these marauding vessels of the secessionists could be allowed to make free use of the neighboring ports of a power holding friendly relations with the United States, for hostile purposes, and this, too, while deprived of all shelter or resource at home. And, in reply to my earnest request that he would cause to be issued to the Dutch colonial authorities in the West Indies orders against such use of their ports, Baron Nan Zuylen de Nijevelt declares, under cover of his general principles, that orders shall be issued in the sense of forbidding the use of the Dutch ports as the base of operations against United States commerce, or, as he phrases it, by either of the belligerents.

In regard to this part of Mr. Van Zuylen's communication, I will here observe that much will depend upon the character of these instructions, and not less upon the spirit in which they are executed. It is in the power of the Dutch government, and of its colonial authorities, to so act, upon the basis of the rule laid down on this head, as to avoid further cause of complaint on the part of the United States, and to effectually prevent these sea robbers from making use of the Dutch ports as a means of pursuing their ravages; and I have so expressed myself to Baron Van Zuylen in the note of which I have the honor to annex a copy. I will add that I have confidence that such orders will be given.

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The following is a copy of my note to Mr. Van Zuylen:

"UNITED STATES LEGATION,
The Hague, September 23, 1861.

"SIR: I have had the honor to receive your communication of the 17th instant, which will, in due time, receive that attention its importance merits.

"Meantime I desire to observe that, as must have been obvious to you, I have hitherto contented myself with advancing general considerations appealing to the friendly dispositions of Holland, rather than in invoking the application of the strict rules of public law to the case under review.

"The Dutch government exercises its undoubted right in overlooking such considerations, and in assuming the championship of a so-called neutrality, which insists upon treating a domestic disturbance as a war between equals.

"For those who so desire, as I am sure Holland does not, it is easy to be persuaded of an incipient nationality in an insurrection, and to see a ship-of-war in every pirate that insults mankind with her depredations or shocks it with her crimes.

"I have great satisfaction in learning from his communication that Baron Van Zuylen recognizes the force of the considerations I have had the honor to present to him touching the evident violation of a just neutrality which is involved in the free use of the ports of the Netherlands by the cruisers of persons engaged in piratical depredations upon the commerce and shipping of the United States, and also in learning that the government of his Majesty has determined that it will not permit its ports to be made the base of operations against that commerce, and that instructions in this sense will be addressed to the governors of the Netherlands colonial possessions.

"It is in the power of the Dutch government, acting upon the rule it has thus laid down, to issue such instructions to its colonial authorities as shall prevent further cause of complaint on the part of the United States, if those instructions shall be executed in good faith.

"The United States government will rely upon the action of Holland in this respect, and will still confidently look for such a course on the part of the Dutch government as will aid it in driving the instigators of rebellion and plunderers of property upon the high seas from the haunts they infest, and in bringing them to condign punishment.

"I have the honor, &c., &c.

"JAMES S. PIKE.

"Baron Van Zuylen, *&c., &c.*"

To-day I have addressed Baron Van Zuylen the following note:

"United States Legation,
"*The Hague, September* 25, 1861.

"Sir: I shall to-day forward your communication of the 17th instant to my government. I do it with reluctance, since its basis is found, as I have already remarked to you, in the assumption of the government of the Netherlands that the domestic disturbance in the United States is a war between equals.

"It cannot be supposed that the United States will consent to debate the question of an abridgment of their sovereignty with Holland or any other nation.

"The United States are one whole undivided nation, especially so far as foreign nations are concerned, and Holland is, by the law of nations and by treaties, not a neutral power between two imaginary parties there, but a friend of the United States. There is in the United States, as there has always been since the establishment of the government, one political power, namely, the United States of America, competent to make war and peace, and conduct alliances and commerce with foreign nations. There is none other, either in fact, or recognized by foreign nations. There is, indeed, an armed sedition seeking to overthrow the government, and the government is employing military and naval force to suppress it. But these facts do not constitute a war presenting two belligerent powers, and modifying the national character, rights, and responsibilities, or the character, rights, and responsibilities of foreign nations.

"That Holland should take a different view of the case will, I am sure, be a subject of very deep regret to the United States.

"The undersigned, &c., &c.

"JAMES S. PIKE.

"Baron Van Zuylen, *&c., &c.*"

* * * * * * * * *

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. Wm. H. Seward,
Secretary of State, Washington, D. C.

Baron Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, *September* 17, 1861.

SIR: The department of the colonies has just communicated to me the information, transmitted by the governor of Curaçoa, concerning the affair of the ship "Sumter," and I hasten to bring to your notice the following observations, by way of sequence to the preliminary reply which I had the honor to address to you on the 2d of this month. According to the principles of the law of nations, all nations without exception may admit vessels of war belonging to a belligerent State to their ports, and accord to them all the favors which constitute an asylum. Conditions are imposed on said vessels during their stay in the port or roadstead. For example, they must keep perfect peace with all vessels that may be there; they may not augment their crews, nor the number of their guns, nor be on the lookout in the ports or roadsteads for the purpose of watching after hostile vessels arriving or departing, &c. Besides, every state has the right to interdict foreign vessels of war from entrance to ports which are purely military. Thus it was that Sweden and Denmark, in 1854, at the time of the Crimean war, reserved the right to exclude vessels of war from such or such ports of their dominions.

The neutral power has also the right to act like France, who, by her declaration of neutrality in the war between the United States and the Confederate States, under date of 9th June last, (Moniteur of 11th June,) does not permit any vessel of war, or privateer, of one or the other of the belligerents, to enter and remain with their prizes in French ports longer than twenty-four hours, unless in case of refuge under stress.

In the proclamation of the month of June last, which was communicated to you with my despatch of the 13th, the government of the Netherlands has not excluded vessels of war from her ports.

As to privateers, the greatest number of the maritime nations allows them the privilege of asylum upon the same conditions nearly as to vessels of war.

According to a highly-esteemed author on the law of nations, (Hautefeuille, Droits et Devoirs des Nations Neutres, I, p. 139,) privateers may claim entrance into the ports of nations which have consented to accord asylum to them, not only in cases of pressing dangers, but even in cases in which they may deem it advantageous, or even only agreeable, and for obtaining rest or articles of secondary necessity, such as the refreshments they may have need of.

The terms of the proclamation of the Netherlands government, which admits privateers into Netherlands ports only in cases of distress, harmonize with this doctrine.

Moreover, according to the information received from the governor of Curaçoa, the "Sumter" was actually in distress, and that functionary could not, therefore, refuse to allow the said vessel to enter the port.

Strong in its amicable intentions, the King's government does not believe itself bound to confine itself to the defence of the conduct of one of its agents in the particular case under discussion. It is not ignorant that it can or may hereafter be a contested question in such cases as to the reality of the distress in which such vessel or other would be, and that thus the subject of the admission generally of the Confederate States vessels would rest untouched. I, therefore, sir, think it opportune to look into the question to determine whether the Sumter should have been admitted at Curaçoa outside of the condition of well-assured distress.

It is evident that the reply to be made is dependent on another question—that is to say, was this vessel a man-of-war or a privateer?

In the latter case, the Netherlands government could not, except in case of a putting in compelled by distress, (relâche forcée,) admit the Sumter into the ports of its territories.

It is not sufficient to dispose of the difficulty by the declaration that the Sumter is, as is stated in your despatches, "a vessel fitted out for, and actually engaged in, piratical expeditions," or "a privateer steamer." Such an assertion should be clearly proved, in accordance with the rule of law, "*affirmanti incumbit probatio.*"

After having poised, with all the attention which comports with the weightiness of the matter, the facts and circumstances which characterize the dissensions which now are laying desolate the United States, and of which no government more desires the prompt termination than does that of the Netherlands, I think I may express the conviction that the Sumter is not a privateer, but a man-of-war—grounding myself on the following considerations:

In the first place, the declaration of the commander of the vessel given in writing to the governor of Curaçoa, who had made known that he would not allow a privateer to come into the port, and had then demanded explanations as to the character of the vessel. This declaration purported "the Sumter is a ship-of-war duly commissioned by the government of the Confederate States."

The Netherlands governor had to be contented with the word of the commander couched in writing. Mr. Ortolan, (Diplomatie de la Mer, I, p. 217,) in speaking of the evidence of nationality of vessels of war, thus expresses himself:

"The flag and the pennant are visible indications, but we are not bound to give faith to them until they are sustained by a cannot shot."

The attestation of the commander may be exigible, but other proofs must be presumed; and, whether on the high seas or elsewhere, no foreign power has the right to obtain the exhibition of them.

Therefore the colonial council has unanimously concluded that the word of the commanding officer was sufficient.

In the second place, the vessel armed for war by *private persons* is called "privateer." The character of such vessel is settled precisely, and, like her English name, (privateer,) indicates sufficiently under this circumstance that she is a *private* armed vessel—name which Mr. Wheaton gives them.—(Elements of International Law, II, p. 19.)

Privateering is the maritime warfare which privateers are authorized to make, *for their own account*, against merchant vessels of the enemy by virtue of letters of marque which are issued to them by the State.

The Sumter is not a private vessel; is not the private property of unconnected individuals—of private ship-owners. She, therefore, cannot be a privateer; she can only be a ship-of-war or ship of the State armed for cruising. Thus the Sumter is designated, in the extract annexed from "Harpers' Weekly," under the name of "rebel ship-of-war."

Thirdly. It cannot be held, as you propose in your despatch of the 9th of this month, that all vessels carrying the confederate flag are, without distinction, to be considered as privateers, because the principles of the law of nations, as well as the examples of history, require that the rights of war be accorded to those States.

The government of the United States holds that it should consider the States of the south as rebels.

It does not pertain to the King's government to pronounce upon the subject of a question which is entirely within the domain of the internal regulation of the United States; neither has it to inquire whether, in virtue of the Constitution which rules that republic, the States of the south can separate from the central government, and whether they ought then, aye or no to be reputed as rebels during the first period of the difficulties.

But I deem it my duty to observe to you, sir, that, according to the doctrines of the best publicists, such as Vattel, III, c. 18, § 292, and Mr. de Rayneval, Droit de la Nation et des Gens, I, p. 161, there is a notable difference between rebellion and civil war. "When," says Vattel, "a party is formed in the state, which no longer obeys its sovereign, and is strong enough to make head against him, or in a republic, when the nation divides into two opposing parties, and on one side and the other take up arms, then it is civil war." It is, therefore, the latter which now agitates the great American republic.

But, in this case, the rights of war must be accorded to the two parties.

Let me be allowed to cite here only two passages; the one from Vattel, (II, c. 4, § 56,) which reads: "Whenever affairs reach to civil war the ties of political association are broken, or at least suspended, between the sovereign and his people. They may be considered as two distinct powers; and, since one and the other are independent of any foreign authority, no one has the right to judge between them. Each of them may be right. It follows, then, that the two parties may act as having equal right." The other passage is taken from the work of a former minister, himself belonging to the United States, Mr. Wheaton, who, in his Elements of International Law, c. I, p. 35, (Am. ed., part 1, p. 32,) thus expresses himself: "If the foreign state would observe absolute neutrality in the face of dissensions which disturb another state, it must accord to both belligerent parties all the rights which war accords to public enemies, such as the right of blockade and the right of intercepting merchandise contraband of war."

As for historic evidence, it will suffice to call to mind from ancient times the struggle of the United Provinces with Spain, and from modern date the war between the Hispano-American colonies and the mother country since 1810, the war of independence of Greece from Turkey since 1821, &c.

It will doubtless be useless to recollect, on this occasion, that the principle to see only insurgents in the States of the south, having neither sovereignty nor rights of war, nor of peace, was put forward by England, at the breaking out of the war of independence of the Anglo-American colonies, in the vindicatory memoir published by the British court in 1778 in answer to the exposition of the motives for the conduct of France, which had lately signed, on the 6th day of February of that year, a treaty with the United States, in which they were regarded as an independent nation.

But the court of Versailles set out from other principles, which she developed in "Observations on the Vindicatory Memoir of the Court of London," saying, among other things: "It is sufficient to the justification of his Majesty that the colonies had established their independence not merely by a solemn declaration, but also in fact, and had maintained it against the efforts of the mother country."

Existing circumstances seem to present the same characteristics; and if it is desired to treat the States of the south as rebels, and accuse them of felony, there might here be cited as applicable to the actual conduct of the United States towards the confederates the following remark of the court of Versailles: "In advancing this proposition, (that the possession of independence, of which the French cabinet said the Americans were in the enjoyment in 1778, was a veritable felony,) the English minister had, without doubt, forgotten the course he had himself taken towards the Americans from the publication of the declaration of independence. It is remembered that the creatures of the court constantly called upon the rebellion vengeance and destruction. However, notwithstanding all their clamors, the English minister abstained, after the declaration of independence, from prosecuting the Americans as rebels; he observed, and still observes towards them, the rules of war usual among independent nations. American prisoners have been exchanged through cartels," &c.

The rights of war cannot, then, in the opinion of the King's government, be refused to the Confederate States; but I hasten to add that the recognition of these rights does not import in favor of such States recognition of their sovereignty.

"Foreign nations," says Mr. Martens, (Précis du Droit des Gens, l. VIII, c. 3, § 264,) "cannot refuse to consider as lawful enemies those who are empowered by their actual government, whatever that may be. *This is not recognition of its legitimacy.*"

This last recognition can only spring from express and official declaration, which no one of the cabinets of Europe has thus far made.

Finally, and in the last place, I permit myself here to cite the example of the American privateer Paul Jones.

This vessel, considered as a pirate by England, had captured two of his Britannic Majesty's ships in October, 1779. She took them into the Texel, and remained there more than two months, notwithstanding the representations of Mr. York, ambassador of Great Britain at the Hague, who considered the asylum accorded to such privateer (pirate as he called it in his memoir to the states general of 21st March, 1780) as directly contrary to treaties, and even to the ordinances of the government of the republic.

Mr. York demanded that the English vessels should be released.

The states general refused the restitution of the prizes.

The United States, whose belligerent rights were not recognized by England, enjoyed at that period the same treatment in the ports of the republic of the United Provinces as the Netherlands authorities have now accorded to the Confederate States.

If the cabinet of the Hague cannot, therefore, by force of the preceding, class all the vessels of the Confederate States armed for war in the category of privateers, much less can it treat them as pirates, (as you call them in your despatch of the 12th of this month,) or consider the Sumter as engaged in a fillibustering expedition—"engaged in a piratical expedition against the commerce of the United States"—as it reads in your communication of the 2d of September.

Here again historic antecedents militate in favor of the opinion of the Netherlands government.

Is there need, in fact, to remind you that at the outset of the war of American independence, in 1778, the English refused to recognize American privateers as lawful enemies, under the pretence that the letters of marque which they bore did not emanate from the sovereign, but from revolted subjects?

But Great Britain soon had to desist from this pretension, and to accord international treatment to the colonists in arms against the mother country.

The frankness with which the King's government has expressed its convictions in relation to the course to be taken towards the States of the south will, without doubt, be estimated at its just value by the government of the United States.

It will perceive therein the well-settled intention to preserve in safety the rights of neutrality; to lay down for itself and to follow a line of conduct equally distant from feebleness as from too great adventurousness, but suitable for maintaining intact the dignity of the state.

The government of the Netherlands desires to observe, on the occasion of existing affairs in America, a perfect and absolute neutrality, and to abstain therefore from the slightest act of partiality.

According to Hubner, (Saisie de Bâtiments Neutres,) "neutrality consists in absolute inaction relative to war, and in exact and perfect impartiality manifested by facts in regard to the belligerents, as far as this impartiality has relation to the war, and to the direct and immediate measures for its prosecution."

"Neutrality," says Azuni, (Droits Maritimes,) "is the continuation in a state of peace of a power which, when war is kindled between two or more nations, absolutely abstains from taking any part in the contest."

But if the proposition be admitted that all the vessels of the Confederate States armed for war should be considered *prima facie* as privateers, would there not be a flagrant inequality between the treatment and the favors accorded to vessels of war of the United States and the vessels of the Confederate States, which have not for the moment a navy properly so called?

This evidently would be giving proof of partiality incompatible with real duties of neutrality. The only question is to determine with exactitude the distinctive characteristics between a privateer and a ship-of-war, although this may be difficult of execution. Thus is ignored that which Count Reventlon, envoy of the King of Denmark at Madrid, drew attention to in 1782, that there exists among the maritime powers regulations or conventions between sovereigns, which oblige them to equip their vessels in a certain manner, that they may be held veritably armed for war.

You express also, in your despatch of September 2, the hope that the Netherlands government will do justice to your reclamation, grounding yourself on the tenor of treaties existing between the Netherlands and the United States, on the principles of the law of nations, and, finally, upon the assurances you have received from the King's government.

Amidst all the European powers there are few who have better defended the rights of neutrals, and have suffered more in this noble cause than Denmark; and one of her greatest statesmen of the close of the last century, Count Bernstorff, has been able to declare with justice, in his memoir of July 28, 1793, a document that will long continue to be celebrated: "A neutral power fulfils all its duties by never departing from the most strict impartiality, nor from the avowed meaning of its treaties."

I have endeavored, sir, to show, in what precedes, that the government of the Netherlands has fulfilled conscientiously its first duty, and will adhere faithfully thereto.

The cabinet of the Hague does not observe and will not observe less religiously the tenor of treaties.

The treaty of the 19th of January, 1839, and the additional convention of the 26th of August, 1852, only relate to commerce and navigation; the only treaties that can be invoked in the present case are those of the 8th of October, 1782.

I do not think it my duty to enter here upon a discussion of principles on the question of deciding whether these treaties can still be considered as actually in force, and I will not take advantage of the circumstance that the cabinet of Washington has implicitly recognized, by the very reclamation which is the object of your despatches, that the treaties of 1782 cannot any longer be invoked as the basis of international relations between the Netherlands and the United States.

I will only take the liberty of observing to you, sir, that the executionof the stipulations included in those diplomatic acts would be far, in the present circumstances, from being favorable to the government of the republic.

In fact, we should, in this case, admit to our ports privateers with their prizes, which could even be sold there by virtue of article 5 of the before-cited convention of 1782, on rescues.

It would, perhaps, be objected that the treaty of 1782, having been concluded with the United States of America, could not be invoked by a part of the Union which had seceded from the central government, and I do not dissent from the opinion that this thorny question of public law would give rise, should the case occur, to very serious difficulties.

But we cannot lose sight of the fact that the treaty spoken of was concluded, even before the recognition of the United States by England in 1783, with the oldest members of the republic, among others, to wit, with Virginia, North Carolina, South Carolina, and Georgia, and that those States actually figure among the secessionists.

In 1782 the republic of North America was only a simple confederation of states, remaining sovereign, united only for common defence, (Staatenbund) and it is only since the establishment of the Constitution, of the 17th of September, 1787, that the pact which binds together the United States received the character which is attributed to it by Mr. Wheaton, also, (Elements of International Law,) of a perfect union between all the members as one people under one government, federal and supreme, (Bundestaat,) "a commonwealth," according to Mr. Motley in his pamphlet "Causes of the Civil War in America," p. 71.

In view of this fundamental difference between the present character of the government of the United States and that of the party contracting the treaty of 1782, it would be difficult to refuse in equity the privilege of the secessionist States to avail themselves of it.

It will, therefore, not escape your penetration that it is preferable, as well for the Netherlands as for the cabinet of Washington, to leave the treaty above mentioned at rest, and that, in excluding privateers from its ports the government of the Netherlands has acted only in the interests of the government of the United States, to which it is bound by feelings of a friendship which dates even from the time of the existence of the republic of the united provinces, and which the King's government will make every effort to maintain and consolidate more and more.

According to the law of nations, the cases in which the neutrality of a power is more advantageous to one party than to the other do not affect or impair it; it suffices that the neutrality be perfect and strictly observed. The government of the Netherlands has not departed from it, therefore, in denying admission to the ports of his Majesty's territories to privateers, although at first glance this determination is unfavorable to the southern States.

The difficulties which have actually arisen, and which may be renewed hereafter, the desire to avoid as much as possible everything that could compromise the good understanding between the governments of the United States and the Netherlands, impose on the last the obligation to examine with scrupulous attention if the maintenance of the general principles which I have had the honor to develop might not in some particular cases impair the attitude of neutrality which the cabinet of the Hague desires to observe. If, for example, we had room to believe that the Sumter, or any other vessel of one of the two belligerent parties, sought to make of Curaçoa, or any other port in his Majesty's dominions, the base of operations against the commerce of the adverse party, the government of the Netherlands would be the first to perceive that such acts would be a real infraction, not merely of the neutrality we wish to observe, but also of the right of sovereignty over the territorial seas of the state; the duty of a neutral state being to take care that vessels of the belligerent parties commit no acts of hostility within the limits of its territory, and do not keep watch in the ports of its dominion to course from them after vessels of the adverse party.

Instructions on this point will be addressed to the governors of the Netherlands colonial possessions.

I flatter myself that the preceding explanations will suffice to convince the federal government of the unchangeable desire of that of the Netherlands to maintain a strict neutrality, and will cause the disappearance of the slightest trace of misunderstanding between the cabinets of the Hague and of Washington.

Accept, sir, the renewed assurance of my high consideration.

DE ZUYLEN DE NIJVELT.

Mr. Pike, *Minister Resident of the United States of America.*

Mr. Seward to Mr. Pike.

No. 23.]

Department of State,
Washington, September 28, 1861.

Sir: By some accident our foreign mail missed the steamer. It is only just now that I have received your despatch of September 4, (No. 15.) The proceeding at Curaçoa in regard to the Sumter was so extraordinary, and so entirely contrary to what this government had expected from that of Holland, that I lose no time in instructing you to urge the consideration of the subject with as much earnestness as possible. I cannot believe that that government will hesitate to disavow the conduct of the authorities if they have been correctly reported to this department.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 24.]

Department of State,
Washington, October 4, 1861.

Sir: I am just now informed by a despatch from Henry Sawyer, esq., our consul at Paramaribo, that on the 19th day of August last the piratical steamer "Sumter" entered that port, and was allowed by the authorities there to approach the town and to purchase and receive coals, to stay during her pleasure, and to retire unmolested, all of which was done in opposition to the remonstrances of the consul.

You will lose no time in soliciting the attention of his Majesty's government to this violation of the rights of the United States. They will be well aware that it is the second instance of the same kind that has occurred in regard to the same vessel in Dutch colonies in the West Indies.

It is some relief of the sense of injury which we feel that we do not certainly know that the authorities who have permitted these wrongs had received instructions from their home government in regard to the rights of the United States in the present emergency. We therefore hope for satisfactory explanations. But, in any case, you will inform that government that the United States will expect them to visit those authorities with a censure so unreserved as will prevent the repetition of such injuries hereafter.

An early resolution of the subject is imperatively necessary, in order that this government may determine what is required for the protection of its national rights in the Dutch American forts.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c.*, *&c.*, *&c.*

Mr. Pike to Mr. Seward.

No. 20.]

UNITED STATES LEGATION,
The Hague, *October* 9, 1861.

SIR: Since my last (under date of October 2) I have received a letter from the United States consul at Paramaribo, of which the following is a copy:

"UNITED STATES CONSULATE,
"*Port of Paramaribo, September* 4, 1861.

"SIR: I have the honor (but with chagrin) to inform you that the rebel steamer Sumter arrived at this port on the 19th of August, and left on the 31st, having been allowed to coal and refit. I used my best endeavors to prevent it without avail.

"I am, &c.,

"HENRY SAWYER."

Immediately on the receipt of it I addressed the following note to the minister of foreign affairs.

"THE HAGUE, *October* 8, 1861.

"SIR: I have just received a communication from the American consul at Paramaribo under date of the 4th of September last, which I lose no time in laying before your excellency.

"The consul states."

[See above.]

"The reappearance of the Sumter in a port of the Netherlands, after so brief an interval, seems to disclose a deliberate purpose on the part of the persons engaged in rebellion against the United States government to practice upon the presumed indifference, the expected favor, or the fancied weakness of the Dutch government.

"During a period of forty-six days, during which we have heard of this piratical vessel in the West Indies, it would appear that she had been twice entertained and supplied at Dutch ports, and spent eighteen days under their shelter.

"This can be no accidental circumstance.

"In the multitude of harbors with which the West India seas abound, the Sumter has had no occasion to confine her visits so entirely to the ports of one nation, especially one so scantily supplied with them as Holland. And the fact that she does so is, in my judgment, not fairly susceptible of any other interpretation than the one I have given.

"I feel convinced that the government of the Netherlands will see in this repeated visit of the Sumter (this time, it appears, without any pretext) a distinct violation of its neutrality according to its own views, as laid down in your excellency's communication to me of the 17th of September last, and a case which will call for the energetic assertion of its purpose expressed in the paper referred to, namely, not to allow its ports to be made the base of hostile operations against the United States. For that the Sumter is clearly making such use of the Dutch ports would seem to admit of no controversy.

"In view of the existing state of the correspondence between the United States and the Netherlands on the general subject to which this case belongs, and of the questions and relations involved therein, I shall be excused for the brevity of this communication upon a topic of so much importance and so provocative of comment.

"The undersigned avails himself," &c., &c.

I called to-day upon Baron Von Zuylen, but he was absent, and I shall not therefore be able to see him again before the close of the mail which takes this. And I do not know that an interview would in any way affect the existing state of things or give me any new information. This government's intentions are good; and it desires to avoid all difficulty with the United States, and with everybody else.

As I stated in my despatch of the 25th September, I have confidence that orders have been given that will impede the operations of these vessels in Dutch ports hereafter, and probably drive them elsewhere.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 25.]

Department of State,
Washington, October 10, 1861.

Sir: Your despatch of September 18 (No. 17) has been received.

The delay of the government of the Netherlands in disposing of the unpleasant questions which have arisen concerning the American pirates in the colonies of that country is a subject of deep concern; and you are instructed, if you find it necessary, to use such urgency as may be effectual to obtain the definitive decision of that government thereon so early that it may be considered by the President before the meeting of Congress in December next.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extracts.]

No. 22.]

United States Legation,
The Hague, October 12, 1861.

Sir: After reflection, upon the reappearance of the Sumter, and her prolonged stay in the port of Paramaribo, (this time apparently without pretext of any kind,) I have felt, in view of the position taken by the Dutch government in their communication to me of the 17th of September, that we were entitled to be specially informed of the precise interpretation which this government puts upon their general declaration in the communication referred to, namely, that it will not permit its ports to be made the base of hostile operations against the United States commerce.

I have accordingly made the direct inquiry of Baron Van Zuylen, without waiting to hear what you have to say in response to that communication. In reply to my inquiry, Baron Van Zuylen has informed me that, previous to his receiving information of the appearance of the Sumter at Paramaribo, orders were issued by the department of the colonies, instructing the colonial authorities not to permit the repetition of the visits of the Sumter, and other vessels of the so-called Confederate States; and if they did make their appearance in Dutch ports, to require them to leave within twenty-four hours, under penalty of being held to occupy a hostile attitude towards the government of the Netherlands. And further, that those authorities have also been instructed to forbid the furnishing of such vessels with more than twenty-four hours supply of fuel. These instructions, thus defined, are to the point. Whether they have been made general, and with that disregard of distinctions between the rights of mere belligerents and those of recognized nationalities, enjoying pacific relations and acting under treaties of amity and friendship, that mark the communication to which I have adverted, I did not deem it pertinent to inquire, nor do I consider the inquiry of any value as regards the practical bearings of this case.

In compliance with my request, Baron Van Zuylen has promised to furnish me with a copy of the order referred to, which, when received, I shall transmit to you without delay.

Although this order, as thus described to me by Mr. Van Zuylen, only sustains the expectations I have expressed to you on two former occasions as to what the action of this government would be, yet, considering the present attitude of the question, it is a matter of some surprise to me that a copy of it should not have been tendered without waiting to have it asked for.

* * * * * * * * *

Taking it to be as herein described, I do not see that the position of this government, so far as its action is concerned, is amenable to very grave censure, whatever may be said of its theoretic views, since the Dutch ports are now, substantially, shut to the vessels. The restriction in regard to supplying fuel, if adopted by other powers holding colonies in the West Indies, will put an end to rebel operations by steam in those seas.

I take some gratification in reflecting that my persistent appeals to the government to issue specific orders, on some ground, to their colonial authorities, looking to the exclusion of the piratical vessels of the seceding States from the Dutch ports, have not been wholly unavailing. That the government has argued against it, and declined acting on any suggestion I could make, is of small consequence, so long as they have found out a way of their own of doing the thing that was needed.

Baron Van Zuylen has renewedly expressed great regret that any questions should have arisen between the two governments.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pike to Mr. Seward.

No. 23.]

UNITED STATES LEGATION,
The Hague, October 16, 1861.

SIR: I have the honor to enclose you the reply of the minister of foreign affairs to the communication I addressed to him on the 8th instant, in regard to the reappearance of the Sumter at Paramaribo. He states therein the character of the orders which have been sent to the colonial authorities, to which I referred in my last despatch, of October 12, (No. 22.)

The British minister here, Sir Andrew Buchanan, expressed incredulity and surprise when I informed him this government had issued the order in question. He declared the British government would not do it, and that the United States would not under similar circumstances. He said it was giving us an advantage, and was not therefore neutral conduct. He added that Russia asked Sweden to close her ports against both belligerents during the Crimean war, and England would not permit it, alleging that as Russia did not want to use them, and England did, it gave the former an advantage to which that power was not entitled. The British government held that Sweden, as a neutral, had no right to alter the natural situation unless it operated equally.

You see herein how thoroughly English officials (and it seems to me all others) are imbued with the idea that the rights of a mere belligerent are the same as the rights of a nation, in cases like the one under consideration.

I have received to-day a letter from our consul at Paramaribo, dated September 20, in which he says the United States steamer Powhatan arrived there on the 14th in search of the Sumter, and left for Brazil the same day; also that the Keystone State arrived on the 18th on the same errand, and left on the 19th for the West India islands.

Your despatch of the 28th of September, acknowledging receipt of mine of the 4th, has arrived. As you make no mention of mine of the 11th, it would seem another mail has missed. I wrote our despatch agent at London on the subject several days ago.

He replies that my despatch of the 4th of September went on the 7th, and that of the 11th on the 14th, which was in regular order.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Baron Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, *October* 15, 1861.

SIR: By your despatch of the 8th of this month you have fixed my attention on the arrival of the "Sumter" at Paramaribo, and you complain that on this occasion the said vessel was admitted into ports of the Netherlands during eighteen days out of the forty-six in which the Sumter had shown herself in the West Indian seas.

You suppose that this is not a fortuitous case, and you demand that the government of the Netherlands, in accordance with the intentions mentioned at the close of my communication of the 17th September last, may not permit its ports to serve as stations or as base of hostile operations against the United States.

You have not deemed it your duty to enter for the moment on the discussion of the arguments contained in my above-mentioned communication, but you say that you wish to await preliminarily the reply of the cabinet at Washington.

I may, therefore, on my part, confine myself for the moment to referring, as to what regards the admission in general of the Sumter into the ports of the Netherlands and the character of this vessel, to the arguments contained in my communication of the 17th September, from which it follows, that if we do not choose to consider *prima facie* all the ships of the seceding States as privateers, and if, in the present case, the Sumter could not be, in the opinion of the government of the Netherlands, comprised among such, entrance to the ports of the Netherlands cannot be prohibited to that vessel without a departure from neutrality and from the express terms of the proclamation of the royal government.

It has already been observed that the latter, in forbidding access to the ports of the Netherlands to privateers, favors the United States much more, among others, than the declaration of the 10th of June by the French government, which, not permitting any vessel-of-war or privateer of the one or the other of the belligerents to sojourn *with prizes* in the ports of the empire for longer time than twenty-four hours, except in case of shelter through stress, (*relâche forcée,*) admits them without distinction when they do not bring prizes with them. But, without entering here into useless developments, I think I may observe to you, sir, that the royal government, whilst refusing to treat as pirates, or even to consider as privateers, all the vessels of the southern States, has striven, as much as the duties of strict neutrality permit, to keep the Sumter away from our ports. When this vessel arrived at Paramaribo, the commanders of two ships of the French imperial marine, which were there at the time, declared to the governor of Surinam that the Sumter was a regular vessel-of-war and not a privateer. The commander of the Sumter exhibited afterwards, to the same functionary, his commission as commandant in a regular navy.

Although there was no reason, under such circumstances, to refuse to the Sumter the enjoyment of the law of hospitality in all its extent, the governor, before referred to, strove to limit it as much as possible. Thus, although pit coal is not reputed contraband, if not at most, and within a recent time only, contraband by accident, it was not supplied to the Sumter except in the very restricted quantity of 125 tons, at the most sufficient for four days progress.

However, the government of the Netherlands, wishing to give a fresh proof of its desire [to avoid] all that could give the slightest subject for complaint to the United States, has just sent instructions to the colonial authorities, enjoining them not to admit, except in case of shelter from stress, (*relâche forcée,*) the vessels-of-war and privateers of the two belligerent parties, unless for twice twenty-four hours, and not to permit them, when they are steamers, to provide themselves with a quantity of coal more than sufficient for a run of twenty-four hours.

It is needless to add that the cabinet of the Hague will not depart from the principles mentioned at the close of my reply of the 17th September, of which you demand the application; it does know and will know how to act in conformity with the obligations of impartiality and of neutrality, without losing sight of the care for its own dignity.

Called by the confidence of the King to maintain that dignity, to defend the rights of the Crown, and to direct the relations of the state with foreign powers, I know not how to conceal from you, sir, that certain expressions in your communications above mentioned, of the 23d and 25th September last, have caused an unpleasant impression on the King's government, and do not appear to me to correspond with the manner in which I have striven to treat the question now under discussion, or with the desire which actuates the government of the Netherlands to seek for a solution perfectly in harmony with its sentiments of friendship towards the United States, and with the observance of treaties.

The feeling of distrust which seems to have dictated your last despatch of the 8th of this month, and which shows itself especially in some entirely erroneous appreciations of the conduct of the government of the Netherlands, gives to the last, strong in its good faith and in its friendly intentions, just cause for astonishment. So, then, the cabinet of which I have the honor to form part deems that it may dispense with undertaking a justification useless to all who examine impartially and without passion the events which have taken place.

The news which has reached me from the royal legations at London and at Washington, relative to the conduct of the British government in the affair of the Sumter, can only corroborate the views developed in my reply of 17th September last, and in the present communication.

It results from this, in effect, that not only has the British government treated the Sumter exactly as was done at Curaçoa, since that vessel sojourned six or seven days at the island of Trinidad, where she was received amicably and considered as a vessel-of-war, but that the crown lawyers of England, having been consulted on the matter, have unanimously declared that the conduct of the governor of that colony of England had been in all points in conformity with the Queen's proclamation of neutrality.

According to them the Sumter was not a privateer but a regular vessel-of war, (duly commissioned,) belonging to a state possessing the rights of war, (belligerent rights.)

The Sumter, then, has been treated as a vessel-of-war of the United States would have been, and that vessel had the same right to obtain supplies at Trinidad as any vessel belonging to the navy of the northern States.

Accept, sir, the fresh assurance of my high consideration.

DE ZUYLEN DE NIJEVELT.

Mr. Pike,
Minister Resident of the United States of America.

Mr. Seward to Mr. Pike.

No. 26.]

Department of State,
Washington, October 17, 1861.

Sir: Your despatch of the 25th of September, No. 18, has been received. It is accompanied by a note which was addressed to you by Baron Van Zuylen, on the 17th day of September last, on the subject of the admission of the pirate steamer Sumter into the port of Curaçoa.

I reproduce the account of that transaction, which was made by this government a subject of complaint to the government of the Netherlands. The steamer Sumter hove in sight of the port of Curaçoa on the evening of the 15th of July, and fired a gun for the pilot, who immediately took to sea. On his reaching the pirate vessel she hoisted what is called the confederate flag, and the same being unknown in that port, the pilot told the captain that he had to report to the governor before taking the vessel into port.

The pilot having made this report, the governor replied to the captain that, according to orders from the supreme government, he could not admit privateers into the port, nor their prizes, but in the case of distress, and therefore the steamer could not be admitted before her character was perfectly known.

In reply to this message the captain of the steamer remained outside of the port until the next morning, when he sent a despatch to the governor, by an officer, stating that his vessel being a duly commissioned man-of-war of the Confederate States, he desired to enter the port for a few days. The colonial court assembled the same evening, and, on the ground of the declaration and assurance of the privateer captain that the vessel is not a privateer, it was decided that she should enter the port, and she entered accordingly.

The consul of the United States thereupon informed the governor, by a note, that the steamer was, by the laws and express declaration of the United States, a pirate, and that on her way from New Orleans to Curaçoa she had taken and sent for sale to the Spanish island of Cuba several American merchant vessels, and on these grounds he asked upon what pretext and conditions the unlawful steamer had obtained admittance into Curaçoa.

The governor answered that, according to the orders received from the supreme government, neither privateers nor their prizes are to be allowed admittance to the ports or bays of this colony, save only in cases of distress. But that this prohibition does not extend to vessels-of-war, and that the Sumter being a man-of-war, according to the rules of nations, could not be repelled from that port.

The piratical vessel was then supplied, at Curaçoa, with 120 tons of coals, and departed at her own time and pleasure. On receiving this information you were instructed to call the attention of the government of the Netherlands to the proceeding of the governor of Curaçoa, and to ask that the proceedings, if correctly reported, might be disavowed, and that the governor might be made to feel the displeasure of his government.

You performed this duty in due season by addressing a proper note to Baron Van Zuylen. On the 2d of September he acknowledged your note, and promised you an early reply on the merits of the subject.

On the 17th of September he communicated this reply to you in the note which is now before me.

I encounter a difficulty in giving you instructions for your reply to that paper, because, first, since the correspondence was opened, a similar case of violation of our national rights has occurred in the hospitalities extended to the same piratical vessel in the Dutch port of Pernambuco, and has been made a subject of similar complaint, which, as yet, so far as I am advised, remains unanswered; and, secondly, the note of Baron Van Zuylen promises that special instructions shall be speedily given to the colonial authorities of the Netherlands in regard to conduct in cases similar to those which have induced the existing complaints. I cannot, of course, forsee how far those instructions, yet unknown to me, may modify the position assumed by the minister of foreign affairs in the paper under consideration.

Under these circumstances, I must be content with setting forth, for the information of the government of the Netherlands, just what the United States claim and expect in regard to the matter in debate.

They have asked for an explanation of the case, presented by the admission of the Sumter by the governor of Curaçoa, if one can be satisfactorily given; and if not, then for a disavowal of that officer's proceedings, attended by a justly deserved rebuke.

These demands have been made, not from irritation or any sensibility of national pride, but to make it sure that henceforth any piratical vessel fitted out by or under the agency of disloyal American citizens, and cruising in pursuit of merchant vessels of the United States, shall not be admitted into either the continental or the colonial ports of the Netherlands under any pretext whatever. If that assurance cannot be obtained in some way, we must provide for the protection of our rights in some other way. Thus, the subject is one of a purely practical character; it neither requires nor admits of debate or argument on the part of the United States. If what is thus desired shall be obtained by the United States in any way, they will be satisfied; if it fails to be obtained through the disinclination of the government of the Netherlands, its proceedings in this respect will be deemed unfriendly and injurious to the United States. The United States being thus disposed to treat the subject in a practical way, they are not tenacious about the manner or form in which the due respect to their rights is manifested by the government of the Netherlands, and still less about the considerations or arguments upon which that government regulates its own conduct in the matter. They regard the whole insurrection in this country as ephemeral; indeed, they believe that the attempt at piracy under the name of privateering, made by the insurgents, has already well nigh failed. While, therefore, they insist that shelter shall not be afforded to the pirates by nations in friendship with the United States, they, at the same time, are not unwilling to avoid grave debates concerning their rights that might survive the existing controversy. It remains only to say in this connexion that the course which the United States are pursuing in their complaints to the government of the Netherlands is not peculiar, but it is the same which has been and which will be pursued towards any other maritime power on the occurrence of similar grievances.

With these remarks, I proceed to notice Baron Van Zuylen's communication. You will reply to him that the United States unreservedly claim to determine for themselves absolutely the character of the Sumter, she being a vessel fitted out, owned, armed, sailed, and directed by American citizens who owe allegiance to the United States, and who neither have nor can, in their piratical purposes and pursuits, have or claim any political authority from any lawful source whatever.

The United States regard the vessel as piratical, and the persons by whom she is manned and navigated as pirates.

The United States, therefore, cannot admit that the Sumter is a ship-of-war or a privateer, and so entitled to any privileges whatever, in either of those characters, in the port of Curaçoa; nor can they debate any such subject with the government of the Netherlands. This will be all that you will need to say in reply to the whole of Baron Von Zuylen's note, except that portion of it which states, rather by way of argument than of assertion, that according to the information received from the governor of Curaçoa, (by the government of the Netherlands,) the Sumter was actually in distress, and that funtionary, therefore, could not refuse to allow the said vessel to enter the port.

If this position shall be actually assumed by the government of the Netherlands, two questions will arise: first, whether the fact that the Sumter was in distress was true, or a belief of the truth of that fact was the real ground upon which she was admitted by the colonial governor into the port of Curaçoa; secondly, how far a piratical vessel, roving over the seas in pursuit of peaceful commercial vessels of the United States, and fleeing before their naval pursuit, but falling into distress herself, is entitled to charity at the hands of a State, friendly to the nation upon whose commerce her depredations are directed.

It would hence be idle to occupy ourselves with a discussion of these questions until we know that the government of the Netherlands determines to stand upon the main position from which they are derived.

You will therefore ask the Baron Van Zuylen for an explicit statement on this subject.

I cannot but hope, however, that the government of the Netherlands will come to the conclusion that it is wisest and best, in view of the relations of the two countries, to give such directions to its agents as will render further prosecution of this discussion unnecessary, while it will prevent similar injuries in future to our national dignity and honor. Should it determine otherwise, and not be able to place the conduct of the governor general at Curaçoa in a better light than it has already done, it will become necessary to consider what means we can take to protect, in the ports of the Netherlands, national rights which cannot be surrendered or compromised.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c.*, *&c.*, *&c.*

Mr. Pike to Mr. Seward.

No. 24.]

United States Legation,
The Hague, October 23, 1861.

Sir: I had the honor to transmit to you, on the 16th instant, the last communication of this government in respect to the "Sumter" case, referring to the orders recently given to its colonial authorities, by which the stay of such vessels in Dutch ports is limited to 24 hours, and by which they are also forbidden to take on board more than 24 hours' supply of coal.

Considering these orders to be important, I have, in the following copy of my reply to the Dutch government, ventured to express a qualified satisfaction at their issue. I am in hopes you will adopt a similar view of the case, as I conceive this government to be well disposed towards the United States, and to consider that it has strained a point in our favor.

I doubt if England or France will do anything of the sort; but the course of Holland will, at least, furnish excellent grounds for some pertinent questions in case they decline.

I have informed Mr. Adams, and also Mr. Dayton and Mr. Schurz, of the final action of this government in this case. The copy of my note follows, (to Baron Van Zuylen.)

"United States Legation,
The Hague, October 22, 1861.

"Sir: In reply to your communication of the 15th instant, which I have had the honor to receive, I take pleasure in assuring your excellency that it has been far from my purpose to say anything at any time which should occasion painful impressions on the part of his Majesty's government, or to use language marked by impatience or irritation at the course of the government of the Netherlands. But while making this disclaimer, frankness compels me to add that I should not know in what more moderate terms to express my sentiments than those I have had the honor to employ in addressing his Majesty's government.

"I desire further to say, in respect to that part of your excellency's communication which refers to the recent orders given to the Dutch colonial authorities not to permit vessels engaged in pirating upon United States commerce to remain in their ports more than 24 hours, and, when steamers, not to be furnished with more than 24 hours' supply of fuel, that, while I receive the announcement with satisfaction, it is qualified by deep regrets at the position his Majesty's government has thought proper to take in placing the misguided persons in rebellion against the United States on a footing of equality, in a most important respect, with the government to which they owe obedience; for, though the orders in question deny shelter and aid to pirates, it is impossible to regard with complacency the fact that the exclusion operates equally against the vessels of the United States, denying to them that accustomed hospitality ever accorded by friendly nations.

"Abstaining, however, now as heretofore, from any discussion on this topic while awaiting the reply of my government to your communication of the 17th of September, I will only add that I feel assured the United States government will fully share these regrets, and I can only hope will not impeach my expressions of satisfaction at the orders which you inform me have been given in accordance with the rule of action laid down in that paper, notwithstanding the position falls so far short of that which the United States have confidently expected Holland would occupy on this question.

"I pray, &c., &c.

"Baron Van Zuylen, *&c.*, *&c.*

I have had the honor to receive your despatch of the 4th of October, (No. 24,) relative to the Sumter at Paramaribo, to which subject I have already given my attention.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. Wm. H. Seward,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 28.]

Department of State,
Washington, October 30, 1861.

Sir: Your despatch of October 9 (No. 20) has been received. We wait with much interest the result of your application to the government of the Netherlands for explanations of the hospitalities extended by its colonial authorities to privateers.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Pike.

No. 29.]

Department of State,
Washington, November 2, 1861.

Sir: Your despatch of October 12 (No. 22) has been received. I learn with much pleasure that you have assurances which, although informal, lead you to expect that a satisfactory course will be adopted by his Majesty's government in regard to the exclusion of privateers from the ports of the Netherlands. Awaiting with some solicitude more definite information,

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c.*, *&c.*, *&c.*

Mr. Pike to Mr. Seward.

[Extract.]

No. 25.]

UNITED STATES LEGATION,
The Hague, November 6, 1861.

SIR: I duly received your despatch (No. 25) of the 10th of October, but have nothing by the last mail. I await your response to the communication of Mr. Van Zuylen of the 17th of September last.

I have the honor to enclose you the reply of the minister of foreign affairs to my note of the 22d of last month, a copy of which I forwarded to you in my last.

* * * * * * * * *

* * * * * * * * *

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Van Zuylen to Mr. Pike.

[Translation.]

THE HAGUE, *October* 29, 1861.

SIR: I have had the honor to receive your letter of the 22d of this month, relative to the affair of the "Sumter," and it has been gratifying to me to learn from its tenor that you have received with satisfaction the information as to the measures adopted by the government of the Low Countries to prevent the return or the prolonged stay in its ports of vessels which, like the "Sumter," seemed to desire to use them as the base of their operations against the commerce of the adverse party.

You regret only that the government of the King should have adopted the same treatment towards the war vessels of the seceding States and those of the United States.

Without entering here into an extended discussion, rendered, moreover, almost superfluous by my two preceding communications, I shall merely permit myself, sir, in referring to their contents, to cause you to observe that, agreeably to the doctrine of the best publicists, neutrality imposes upon those nations which desire to enjoy its benefits a complete abstention from all that could establish a difference of treatment between the belligerent parties, and that this principle applies as well to the cases of civil war, or even of rebellion, as to that of an ordinary war.

Your government having desired that measures should be taken to prevent a prolonged stay in our ports of the Sumter, or of other vessels-of-war of the seceding States, we have admitted the justice of this claim. But these measures could not reach exclusively one of the two parties; they were to be general, and the consequence of it is that the new instructions given to the governors of Curaçoa and of Surinam neither permit the vessels-of-war of the United States, except in the case of being compelled to put into a port, to sojourn in the ports of the Netherlands, in the West Indies, for a longer time than twice 24 hours, (and not for only 24 hours, as you seem to believe.)

Nevertheless, the privateers, with or without their prizes, are, as heretofore, excluded from the Netherland ports, and it is by an oversight, which I hasten to rectify, that the words "and the privateers" have been introduced into that part of my communication of the 15th of this month which calls your attention to the instructions transmitted to the colonial authorities.

Be pleased, sir, to accept the renewed assurance of my high consideration.

DE ZUYLEN DE NIJEVELT.

Mr. Pike,
Minister Resident of the United States of America.

Mr. Seward to Mr. Pike.

No. 31.]

Department of State,
Washington, November 11, 1861.

Sir: Your despatch No. 24, dated October 23, has been received.

I learn from it that the government of the Netherlands has made an order which will, it is hoped, practically prevent the recurrence of such countenance and favor to pirates in the ports of that state as we have heretofore complained of. You will express to Baron Zuylen our satisfaction with this proceeding, viewed in that light, but you will be no less explicit in saying that this government by no means assents to the qualifications affecting its claims as a sovereign power upon the Netherlands by which the proceeding is qualified.

Not only are we not seeking occasions for difference with any foreign powers, but we are, on the other hand, endeavoring to preserve amity and friendship with them all, in a crisis which tries the magnanimity of our country. Influenced by these feelings, I can only hope that no new injury or disrespect to our flag may occur in the ports of the Netherlands, to bring the action of their government again under review by us.

I am directed by the President to express his approval of the diligence and discretion you have practiced in this important transaction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

James S. Pike, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 32.]

Department of State,
Washington, November 11, 1861.

Sir: Your despatch of October 16 (No. 23) has been received. It contains the reply of Mr. de Zuylen to the note you had addressed to him on the subject of the "Sumter" at Paramaribo.

In another paper I have already communicated the President's views of the disposition of that subject made by the government of the Netherlands, so that nothing remains to be said on the subject which you have had occasion to discuss in the despatch now before me.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Mr. Seward to Mr. Pike.

No. 33.]

DEPARTMENT OF STATE,
Washington, November 23, 1861.

SIR: Your despatch of November 6 (No. 25) has just been received. I have already anticipated and disposed of the principal subject which it presents.

Felicitate the government of the Netherlands as we felicitate ourselves on the renewed auguries of good and cordial relations between friends too old to be alienated thoughtlessly, or from mere impatience.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

TURKEY.

Mr. Brown to Mr. Seward.

[Extract.]

No. 2.]

LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, May 29, 1861.

SIR:

* * * * * *

I had the honor, on the 25th instant, to receive your circular of the 20th ultimo, with its enclosure, addressed to the late minister resident, respecting the fitting out of privateers in Turkey to act against the commerce of the United States, and shall give my faithful and vigilant attention to the orders which it contains. The minister resident, on his departure, gave me the "circulars" of the department, one of February 28, and the other of March 9, 1861, of which he had not either acknowledged the receipt, nor made any use in carrying out the injunctions of the President. These, also, call for my immediate attention, and shall be faithfully executed.

I would here take occasion to add that I am confident there is not now one citizen of the United States in this place animated with sentiments other than those of entire loyalty to the government of the United States, and of devotion to the cause of the Union. Not only from the members of all the foreign legations resident here, but also from all foreigners in this city, I receive expressions of the most friendly nature in favor of the American Union. The unhappy and misguided position assumed by some of its southern States is deeply deplored and strongly condemned by them, and all entertain the hope that a returning sense of patriotism, and a correct view of their own interests, will, before long, restore peace and happiness to our great and prosperous country. These are, also, the sentiments expressed by all of the functionaries of the Sultan's government; and I believe it will, at any time, be easy for the legation to invoke the most friendly conduct on the part of the Sublime Porte in behalf of the government of the United States of America.

I have the honor to be, sir, with great respect, your obedient servant,

JOHN P. BROWN.

Mr. Brown to Mr. Seward.

[Extract.]

LEGATION OF THE UNITED STATES,
Constantinople, June 11, 1861.

* * * * * *

I do not believe that any agents of the "Confederate States" have, as yet, visited this place, and should any come here that the Porte would admit or recognize them. I receive from H. H. Aali Pacha, minister of foreign affairs, and H. H. Mehemed Kibrish Pacha, grand vizier, repeated assurances of the most friendly sentiments towards the government of the United States, and expressions of warm sympathy for the present unhappy state of popular excitement in the slave States of the Union.

I have the honor to be, sir, respectfully, your obedient servant,

JOHN P. BROWN.

Hon. William H. Seward,
Secretary of State.

Mr. Brown to Mr. Seward.

No. 4.]

Legation of the United States of America,
Constantinople, June 12, 1861.

Sir: I have had the honor to receive your circular of the 6th of May, regarding the duties of the legation and consulates of the United States in Turkey, with reference to passports of American citizens and individuals found negotiating with this government for purposes hostile to the Union.

I have sent a copy of this circular to each consulate of the United States in this empire, and have the honor to enclose herewith copy of the reply of the present consul general for Constantinople, Mr. David P. Heap, in whose loyalty to the government of the United States and fidelity to the Union I have every confidence.

I have the honor to be, sir, with much respect, your obedient servant,

JOHN P. BROWN.

Hon. William H. Seward,
Secretary of State, United States of America.

Mr. Heap to Mr. Brown.

United States Consulate General,
Constantinople, June 12, 1861.

Sir: I have the honor to acknowledge the receipt of your communication of the 10th instant, enclosing a circular from the honorable Secretary of State, dated May 6, on the subject of the delivery of passports to citizens of the United States.

I will strictly conform to the instructions contained therein, and in no case will this consulate general grant its visa to the passport of any person of whose loyalty to the Union it has not the most complete and satisfactory evidence. This consulate general will exercise the utmost vigilance in counteracting the proceedings of any American citizen who, either personally or by agents, is found negotiating with the government or individuals for purposes hostile to the republic.

I remain sir, with high respect, your obedient servant,

D. P. HEAP,
Consul General.

John P. Brown, Esq.,
Chargé d'Affaires of the United States
of America, Constantinople.

Mr. Brown to Mr. Seward.

[Extract.]

No. 10.] Legation of the United States of America,
Constantinople, July 17, 1861.

Sir: * * * * * * * *

I have had several conversations with T. H. Mohammed Kibrisli Pacha, the grand vizier, or prime minister, and Aâli Pacha, minister of foreign affairs, on the subject of the troubles existing in the United States; and the latter recently requested me to offer you the strongest assurances on the part of the Ottoman government of its friendly sympathies, and its hopes that they may be soon settled in such a manner as will preserve the Union intact. H. H. warmly deprecated the principle of "secession," advocated by the southern States, as ruinous to all governments, and especially to the great American republic, the strength of which so much depends upon its unity. He expressed a warm interest in the future welfare and prosperity of the government of the United States, from which the sublime porte has received so many evidences of a sincere and disinterested friendship.

The Sultan is acting with much energy of character, and introducing many salutary and greatly needed financial reforms in the government. His activity and intelligence have already rendered him very popular among his subjects, and inspire them with great hopes for the future of the empire. There exists perfect harmony and co-operation among all his ministers and other public functionaries.

I have the honor to enclose a copy of the reply which I made to H. H. Aâli Pacha, in response to his circular on the subject of the accession of his Majesty, communicated to the department in my despatch No. 8; also copies of a letter from his highness, and my reply, on his recent appointment to the office of minister of foreign affairs, which he has latterly filled only *ad interim*, and hope they will meet with your approbation.

I have the honor to be, sir, with great respect, your obedient servant,

JOHN P. BROWN.

Hon. William H. Seward,
Secretary of State, United States of America.

Legation of the United States of America,
Constantinople, June 26, 1861.

Highness: I have had the honor to receive the letter which your highness was pleased to address me yesterday for the purpose of informing me officially of the decease of his Imperial Majesty Sultan Abd ul Majid, and the accession to the throne of his brother and legitimate heir, his Imperial Majesty Sultan Abd ul Aziz Khan.

Deeply affected by the decease of a sovereign whose great goodness of heart and many generous impulses have engraved his memory in the minds of all, and which will distinguish the history of his reign, it is with much pleasure that I convey to the knowledge of the government of the United States of America the great qualities of his illustrious successor, his Imperial Majesty Sultan Abd ul Aziz Khan.

The President of the United States will receive with much interest the assurance which your highness has been pleased to convey to me of the in tention of his Imperial Majesty to continue to cultivate the friendly relations which have always so happily existed between the government of the United States and that of the Ottoman empire—relations to which he attaches a very high appreciation.

I avail myself, also, of the present occasion to renew to your highness assurances of my high respect and very distinguished consideration.

JOHN P. BROWN,
Chargé d'Affaires ad int.

[Translation.]

No. 5232 | 103.] SUBLIME PORTE, BUREAU OF FOREIGN AFFAIRS,
July 15, 1861.

SIR: I have the honor to inform you that his excellency Fuad Pacha has been called to the presidency of the supreme council of justice, confided, until his return, to his excellency Kiamil Pacha, and that my august master has deigned to appoint me his minister of foreign affairs.

The kind assistance which you have been pleased to give me, during my provisional direction of this department, is an assurance that you will continue the same favor in my endeavors to strengthen still more the relations of friendship and harmony existing between our respective governments.

I take occasion to offer renewed assurances of my high respect and perfect consideration.

AALI.

LEGATION OF THE UNITED STATES OF AMERICA,
Constantinople, July 16, 1861.

HIGHNESS: I have had the honor to receive the letter you were so good as to write me, on the 15th instant, for the purpose of informing me that his excellency Fuad Pacha, having been appointed president of the supreme council of justice, with which his excellency Kiamil Pacha has been charged until his return, his Imperial Majesty the Sultan has been graciously pleased to nominate you his minister of foreign affairs.

I thank your highness for this communication and the kind expressions which it contains, and beg your highness to believe me most desirous of uniting with your highness in whatever may serve to strengthen the relations of friendship and harmony so happily existing between our respective governments, and which owe so much to the friendly sentiments entertained by your highness for the United States.

I hasten also to assure your highness of my perfect respect and most distinguished consideration.

JOHN P. BROWN.

Mr. Seward to Mr. Morris.

No. 3.] DEPARTMENT OF STATE,
Washington, August 28, 1861.

SIR: The despatch of Mr. Brown, secretary of legation, (No. 10,) dated July 17, has been received.

It is probable that, before receiving these instructions, you will have already assumed the responsibility of asking an audience of the new Sultan, and tendering him, on the part of the President, the proper congratulations. If this duty remains unperformed, you will take an early occasion for it, and will assure him that this government has learned, with sincere pleasure, of his accession to the throne under felicitous auspices, and of the favorable impression which his administration has made upon the minds of the people over whom he presides, as well as in foreign countries. Assure him that we shall suffer no occasion to pass by on which we can demonstrate the good will and friendship of the United States for the government of Turkey, and that we shall be happy if circumstances shall enable the two countries to modify their commercial arrangements so as to increase intercourse between them.

You will receive herewith new letters of credence addressed to his Imperial Majesty the present Sultan.

Mr. Brown's account of the favorable sentiments of his Majesty towards the United States is especially gratifying.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

E. JOY MORRIS, Esq., *&c., &c., &c., Constantinople.*

SWEDEN

Mr. Angel to Mr. Seward.

[Extract.]

No. 76.]

LEGATION OF THE UNITED STATES,
Stockholm, May 22, 1861.

* * * * * * * * *

The Swedish law is very strict against the violation of the rights of neutrals, and I am assured that there is no apprehension that any of the ports of this kingdom or of Norway will be prostituted to the wicked purpose of fitting out privateers.

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I have the honor to be, with much respect, your obedient servant,

B. F. ANGEL.

Mr. Angel to Mr. Seward.

[Extract.]

No. 77.]

LEGATION OF THE UNITED STATES,
Stockholm, May 30, 1861.

SIR:

* * * * * * * * *

Herewith I beg permission to enclose a copy of my note to Count Manderstrom, minister of foreign affairs, transmitting copies of the President's proclamations establishing a blockade of the ports in the seceding States, which I hope may meet your approbation.

I have the honor to be, with great respect, your obedient servant,

BENJ. F. ANGEL.

Hon. WM. H. SEWARD,
Secretary of State, &c., &c., &c.

LEGATION OF THE UNITED STATES,
Stockholm, May 22, 1861.

SIR: The President of the United States, in view of the disturbed and unhappy condition of public affairs in the southern portion of our confederacy, and in the exercise of what he regards as a legal right and constitutional duty, has ordered and established an effective blockade of the ports in the several States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, Texas, Virginia, and North Carolina.

I have the honor herewith to transmit to your excellency copies of the President's proclamations upon this subject, for the information of his Majesty's government, and I avail myself of the occasion to offer to your excellency the renewed assurance of my high consideration.

BENJ. F. ANGEL.

His Excellency COUNT MANDERSTROM,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Angel to Mr. Seward.

[Extract.]

No. 79.]

LEGATION OF THE UNITED STATES,
Stockholm, June 4, 1861.

SIR: In my conference with Count Manderstrom to-day I was informed that no application has been made to the Swedish government on behalf of the people of the so-called Confederate States for their recognition as an independent nation, and although passports are not now required, either in Sweden or Norway, I am quite sure no agents are here from the seceded States for any purpose whatever. * * * * *

I have the honor to be, with great respect, your obedient servant,

B. F. ANGEL.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c., Washington.

Mr. Angel to Mr. Seward.

[Extract.]

No. 83.]

LEGATION OF THE UNITED STATES,
Stockholm, June 10, 1861.

* * * * * * * * *

In the contest in which we are unfortunately engaged, it is of great importance to secure the good opinion of mankind, and I am gratified in being able to inform you that, so far as my reading and observations extend, the better informed European statesmen express the opinion that those charged with the administration of public affairs have acted with the greatest moderation and forbearance under circumstances which might perhaps have justified retaliatory measures, and in their defence of constitutional law and an organized government against treason and revolution they will have the sympathy and best wishes of all conservatives on this side the Atlantic.

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I am, sir, your obedient servant,

B. F. ANGEL.

Mr. Haldeman to Mr. Seward.

[Extract.]

No. 1.] LEGATION OF THE UNITED STATES,
Stockholm, June 14, 1861.

SIR: * * * * * * * *

Yesterday I called, by appointment, upon Count Manderstrom, minister of foreign affairs. Count M., in behalf of his government, welcomed me most cordially to Sweden as the representative of the United States of America. Count Manderstrom informed me of the absence of his Majesty in Norway, whose return was daily expected, and that an early day would be fixed for the audience to present my letter of credence. During the interview he referred to the condition of affairs in the United States, and expressed himself strongly in favor of our government.

From the limited opportunity I have had to judge, I have no hesitation in the declaration of the opinion that the sympathy of the entire north of Europe is almost unanimously in favor of the existing government of the United States. The emigration from this part of Europe having been to the northern or free States, they speak as if they would like to give active aid to their friends, relatives, and countrymen.

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I have the honor to be, with respect, your obedient servant,

J. S. HALDEMAN.

HON. WM. H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Haldeman to Mr. Seward.

[Extract.]

3.] LEGATION OF THE UNITED STATES,
Stockholm, July 4, 1861.

SIR: I have the honor, in reply to your circular of May 20, to inform you that I am almost confident no effort or attempt to purchase articles contraband of war, or to fit out vessels in any port of Sweden, under letters of marque, need be apprehended. The public voice of this nation, represented by a free press, is clearly and emphatically in favor of my government, and view secession as a causeless rebellion, which ought to be suppressed by the strong arm of military law. Should, contrary to my expectation, efforts be made by mercenary men to give in any manner assistance to the rebels, I have no doubt I shall receive information of the fact in time to call the attention of his Majesty's government to the subject.

Frequently application has been made to me by honorable discharged officers of the army of Sweden to know if their services would be accepted by my government, and on what conditions. I have replied that I have no instructions on that subject, and can make no promises or arrangements on the part of my government. The question is asked if their passage-money would be paid on their arrival in America and entering the service. Two of these officers are eminent military engineers.

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I have the honor to be, with great respect, your obedient servant,

J. S. HALDEMAN.

Hon. William H. Seward,
Secretary of State, &c., &c , &c.

Mr. Seward to Mr. Haldeman.

No. 2.]

Department of State,
Washington, July 8, 1861.

Sir: Your despatch of June 14 (No. 1) has just been received. Your safe arrival at your destination is a source of satisfaction, and the information you give concerning the tone and temper of public opinion in the north of Europe, with regard to the present embarrassment in our domestic affairs, is especially gratifying.

I am, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Jacob S. Haldeman, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Haldeman.

No. 3.]

Department of State,
Washington, July 25, 1861.

Sir: Your despatch of June 26 (No. 2) has been received. So much of it as relates to the preservation of the archives, and other matters of subordinate interest, will be noticed in a distinct paper.

The President is gratified by the account of the friendly reception you have received from his Majesty, and directs me to congratulate you upon the good auspices under which your mission is commenced. You will lose no good opportunity for assuring the government of Sweden that the United States entertain the highest consideration and cherish the best wishes for his Majesty and the Swedish people.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

Jacob S. Haldeman, Esq.,
&c., &c., &c., Stockholm.

Mr. Haldeman to Mr. Seward.

[Extracts.]

No. 5.]

United States Legation,
Stockholm, July 28, 1861.

Sir: Since I last wrote quite a change is visible in diplomatic circles in regard to American affairs. They now speak out openly that the government of the United States should act vigorously and efficiently; enforce the laws by the strong arm of military power; that the rebellion should be annihilated by force and not by compromise; that is a mistaken policy to suppose that delay and the holding out of the olive branch ever fitted rebels for grace, or brought them to a sense of their guilt.

* * * * * * * * *

On the 29th of July the King joins his fleet in the Baltic, and will visit the coasts of Norway and Denmark; he will be absent some four or five weeks. Her Majesty at the same time visits her parents, the King and Queen of Holland. Count Edward Piper, who has been appointed minister to the United States, is one of the first noblemen in Sweden, with a thorough English education and manners, and whose appointment was intended as a compliment to the United States. Count Manderstrom informed me at our last conference that a large Swedish frigate would be sent to the American waters to protect Swedish interests against privateers if it should be necessary. From all quarters the firm and decided course of the administration is spoken of with respect and esteem; no one now seems to doubt of the speedy triumph of the government.

I remain, with great respect, your obedient servant,

J. S. HALDEMAN.

Hon. William H. Seward,
Secretary of State, &c., &c., &c., Washington.

Mr. Seward to Mr. Haldeman.

No. 4.]

Department of State,
Washington, July 30, 1861.

Sir: Your despatch of July 4, 1861, (No. 3,) has been received, and it is entirely satisfactory in regard to your own activity in your mission, and the favorable dispositions of the enlightened government to which you are accredited.

We notice with much pleasure the willingness of military gentlemen of talent and experience in Sweden, as in other nations, to enter the army of the United States. It is a proof of a sympathy with our great cause of inestimable value. We wish, indeed, that we were able to engage to accept all who should come. But this is impossible, for the reason that they are coming in unknown numbers from various European states, while at the same time a long repressed martial spirit has broken out among our own countrymen, which gives us more candidates than we have places for.

Gradually we have taken into the service several able and spirited military men from Prussia, Italy, France, and Hungary. I shall be happy to recommend any the government of Sweden may desire us to accept.

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I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
&c., &c., &c., Stockholm.

Mr. Seward to Mr. Haldeman.

No. 5.]

DEPARTMENT OF STATE,
Washington, August 19, 1861.

SIR: Your despatch (No. 4) of July 22 has been received.

The announcement which you were requested to make, by his excellency Count Manderstrom, of the appointment of Count Piper as his Swedish and Norwegian Majesty's minister resident in the United States, has been received with much satisfaction. The filling of the mission in so acceptable a manner at this period is regarded by the President as an earnest of his Majesty's friendly feelings towards the government of the United States, and you are directed to assure Count Manderstrom that the new minister will receive at our hands a most cordial welcome, and that no opportunity will be neglected of strengthening the ties of amity between the government of his Majesty and that of the United States.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
&c., &c., &c., Stockholm.

Mr. Seward to Mr. Haldeman.

[Extract.]

No. 6.]

DEPARTMENT OF STATE,
Washington, August 19, 1861.

SIR:

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* * * * * *

The information which you give concerning the temper and feeling of the government and people of Sweden is very gratifying.

This government will find a sincere pleasure in doing all that shall be in its power to favor the safety and freedom of the commerce of Sweden in the ports of the United States not closed by the blockade.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
&c., &c., &c., Stockholm.

Mr. Seward to Mr. Haldeman.

[Extract.]

No. 7.] DEPARTMENT OF STATE,
Washington, September 7, 1861.

SIR:

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Your communications concerning internal questions in Sweden are appreciated, and we hope that the succession to the throne may be settled in a manner satisfactory to the government, and conducive to the welfare of the enlightened people whom it so deeply concerns.

We have already forgotten the reverse of our arms at Bull Run, which affected you so deeply, and the prospect of the restoration of the authority of the Union is entirely satisfactory. Our volunteer army will, I have no doubt, vindicate its character and win back the confidence of the country and its friends.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JACOB S. HALDEMAN, Esq.,
&c., &c., &c., Stockholm.

PORTUGAL.

Mr. Morgan to Mr. Seward.

[Extract.]

No. 66.]

United States Legation,
Lisbon, April 6, 1861.

Sir: * * * * * * * * *

During the evening his Majesty inquired with interest as to the condition of affairs in the United States, but when I assured him, as I had before done on a similar occasion, that the Union would be preserved, his manner was more expressive of doubt than belief, though he replied that he hoped I was not mistaken, as it would be a great pity to see so fine a country ruined, and I regret to say that my colleagues, and European politicians generally, regard the disruption of the States as an established fact.

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With high respect, I have the honor to be your obedient servant,

GEORGE W. MORGAN.

Hon. W. H. Seward, *Secretary of State.*

Mr. Morgan to Mr. Seward.

No. 67.]

United States Legation,
Lisbon, May 29, 1861.

Sir: I have the honor to enclose a copy of my note to the government of H. M. F. Majesty on the subject of privateers.

I have notified our consular agents of the importance of vigilance.

Would it not be good policy to take into regular commission a considerable number of our clipper ships, till our navy can be placed on a basis commensurate with the crisis?

The telegraph announces that the President has notified the foreign powers that he will discontinue diplomatic relations with any nation that recognizes the so-called Confederate States.

I trust that it is true, for such a policy will produce good results, and is not less wise than it is dignified.

If we come out of this contest triumphant, and the Union be preserved, our nation will be more powerful and more glorious, more loved and more feared, than ever before in our history as a nation.

I have the honor to be, very respectfully, your obedient servant,

GEORGE W. MORGAN.

Hon. Wm. H. Seward, *Secretary of State.*

United States Legation,
Lisbon, May 27, 1861.

Sir: A combination of individuals in certain of the southern States of the United States have raised the standard of insurrection, and under the pretended authority of the self-styled Confederate States of America have threatened to grant pretended letters of marque for the purpose of committing assaults on the lives, vessels, and property of good citizens of the United States, lawfully engaged in commerce on the high seas, and in the waters of the United States. And in consequence thereof, on the 19th day of April, 1861, and the eighty-fifth year of the independence of the United States, the President, by formal proclamation, declared that if any person, under the pretended authority of the said so-called but unrecognized Confederate States, or under any other pretence, shall molest a vessel of the United States, or the persons or cargo on board of her, that such person will be held amenable to the laws of the United States for the punishment of piracy.

In the name, therefore, of the government of the United States, I have the honor to request that the government of H. M. F. Majesty may cause such measures to be taken as will effectually prevent any vessel from being prepared in any of his Majesty's ports for the aforesaid piratical purposes.

Under the conviction that reliable information as to said insurrection will be gratifying to his Majesty's government, I briefly submit the following statement:

1. The government of the so-called Confederate States has been neither recognized by any sovereign state, nor has it been acknowledged by the people it professes to represent. But, on the contrary, the combination of individuals who have usurped the title of a government refuse to submit their constitution to the ratification or rejection of the citizens of said States.

2. The insurrectionists are wanting in the great elements necessary to successful war. Their ports are strictly blockaded ; their supplies are cut off, by land and by sea, and within themselves they are destitute of the means of carrying on a prolonged struggle.

3. That while it may be difficult to predict the length of time which may be required to suppress the insurrection, yet in the future nothing can be more certain than are the vindication of the national flag, and the perfect restoration of order and prosperity under the Constitution of the United States.

It affords me great pleasure to renew to your excellency the assurance of my most distinguished consideration.

GEORGE W. MORGAN.

His Excellency M. Antonio José d'Avila,
Secretary of State for Foreign Affairs, &c.

Mr. Harvey to Mr. Seward.

No. 6.] LEGATION OF THE UNITED STATES,
Lisbon, July 25, 1861.

SIR: I have just had my first interview with Mr. d'Avila, the minister of foreign affairs, since being presented to the King, and desire to report its purpose and character. While no instructions have reached me in regard to the desired action of this government concerning privateers, I considered it proper, in view of the facilities offered by the ports of Portugal and her colonies to prizes, to call the attention of the proper authorities to it at the earliest opportunity when I was in an official position to do so with effect.

On the very day of my arrival here, and when I did not anticipate the painful delays and difficulties which have since occurred, I told General Morgan of my intention to ask for a proclamation excluding privateers, as soon as I was presented. He addressed a note to the foreign office on the 2d instant, in which the general question was discussed at much length. And although he afterwards called several times upon Mr. d'Avila, no answer was obtained before his departure yesterday.

These were the circumstances under which I felt it necessary to go forward and to ask for some decisive action. I told Mr. d'Avila frankly that I did not desire to signalize my advent here by any protracted correspondence, and least of all by a controversy, and that the sentiments which I had expressed at my audience of presentation were those which really animated me. I informed him that a condition of affairs existed in the United States which required me to claim an early and positive expression of views by the Portuguese government on this subject, and therefore he must excuse my seeming urgency. He inquired if I adopted the note which General Morgan had addressed to him. I answered that I accepted the principle, but was willing to waive a correspondence, if the object could be accomplished by a direct and candid interchange of opinions orally, when there would be less difficulty in understanding each other, and a readier mode of reaching a conclusion promptly. He concurred in this suggestion, and said it reflected his own sincere dispositions.

I then told him that a proclamation forbidding the ports of Portugal and her colonies to privateers and their prizes, in explicit terms, would be satisfactory, and argued that, as Portugal had acquiesced in the treaty of Paris of 1856, there ought to be no difficulty in making this declaration. In order to strengthen the reason, I suggested that the proclamation might be made broad and general, because I most desired the assertion of a practical principle which would cover the case completely. He seemed to assent to the idea, and remarked that it was disembarrassed materially by the fact that the government of the United States had discountenanced the issuing of letters of marque. I told him that the government had not only done that, but that it deprecated and denounced the system, which certain insurrectionary and tumultuous assemblages of people had proclaimed with a professed authority.

In order that no misapprehension might occur, I notified Mr. d'Avila that a proclamation or declaration which, in doubtful phrases or by implication, recognized the existence of any pretended organization in the United States, independent of the government which accredited me, and which alone has power to make treaties and conduct diplomatic intercourse, would be regarded as a most unfriendly act by the President.

After again urging upon him reasons for an early decision, he explained that the cortes were now in session night and day, but expected to adjourn soon, when he would lay the matter before the King's council, and obtain their opinion, which he thought would conform to my request. I asked him to name a convenient day when an answer might be expected. He declined fixing a time certain, but expressed the belief that by the middle of next week the council could be convened, and this subject should have precedence over all others.

In proposing a proclamation such as I have suggested, vessels-of-war and their prizes would be allowed entry to the ports of Portugal, which the English and French governments have expressly excluded, putting them on the same footing with privateers. As I have acted upon my own motion in this matter, I submit it to your approbation.

With high respect, your obedient servant,

JAMES E. HARVEY.

Hon. William H. Seward,
Secretary of State.

Mr. Harvey to Mr. Seward.

[Extract.]

No. 7.]

Legation of the United States,
Lisbon, July 28, 1861.

Sir: Since my despatch (No. 6) of the 25th instant, information reached me * that plans were concerted by the parties who had recently applied for the privilege of fitting out a privateer, and others, to accept letters of marque from the so-called Confederate States, and to use some of the remote islands of Portugal as places of rendezvous for outfit and for the disposal of any prizes that might be taken.

In view of the facilities offered for these nefarious enterprises in the Azores, Madeira, Cape de Verd, and other islands, as well as in the small Indian possessions of that kingdom, I felt it proper to address the note, of which a copy is enclosed, to the minister of foreign affairs, yesterday, as a means of inducing him to take immediate and decisive action on the subject. These facts will serve to explain the seemingly urgent tone of my note, which I thought demanded by the necessity of the case.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

Hon. W. H. Seward,
Secretary of State.

Legation of the United States, *July* 27, 1861.

The undersigned presents his compliments to his excellency M. d'Avila, minister of foreign affairs of his most faithful Majesty, and begs leave to repeat in this form, for the convenience of a more precise understanding, the substance of the ideas which he had the honor to express in his interview with his excellency on the 25th instant.

Portugal has acceded fully to the anti-privateering doctrine established by the declaration of the congress of Paris of April, 1856, to which the assent of the United States has recently been given.

Opposed to the principle and practice of privateering, Portugal ought not to hesitate, as it appears to the undersigned, to declare by general proclamation, as a general principle and rule, that her ports are no longer open to privateers or their prizes.

This is the extent of the present request of the undersigned. He does not ask that Portugal shall make any particular application of the general rule to the peculiar and unhappy state of things now existing in the United States, nor that any unnecessary notice or cognizance should be taken of the disturbed condition of domestic affairs in the United States. Indeed, the government of the United States would not view with satisfaction any such superfluous and unnecessary expression of views or sentiments by any foreign power in regard to a state of things purely domestic, local, and temporary, to which a satisfactory termination will soon be placed by the ample power of the United States government. On the contrary, as the undersigned took occasion to assure his excellency M. d'Avila, at the personal interview referred to, any declaration which recognized the existence, even by implication, of a pretended organization in the United States, independent of the government, which alone has the power to make treaties, and to conduct diplomatic intercourse, and the authority of which cannot be questioned, would be considered as a most unfriendly act.

As little as the government of the United States would pretend to interfere in any analogous question that might possibly arise between the government of his most faithful Majesty and any of the provinces of his kingdom, can the United States be disposed to view with satisfaction any such expression as that suggested on the part of his or any foreign government. At the same time it is manifest that questions of the most embarrassing and even dangerous character are, at any moment, liable to occur, if unlawful and piratical privateers, with unlawful prizes, should make their appearance in the waters of Portugal or her colonies, and it is with a view to the amicable anticipation of such possible contingencies that the undersigned has requested, and now repeats the request, that the government of his most faithful Majesty should simply carry out, to its natural and necessary consequence and application, the principle of the declaration of Paris above referred to, as having been fully acceded to by the enlightened government of his most faithful Majesty.

The undersigned begs to add the expression of his hopes that in advance of the issue of the proclamation, which, under these circumstances, he believes and expects will be issued at the earliest convenient day by his most faithful Majesty, the undersigned may be favored with an opportunity of seeing the proposed terms of the same, in order that, by means of frank interchange of views, there may be the more perfect certainty of such a friendly and reciprocally satisfactory harmony of views between the two governments as shall correspond to the sentiments already fully expressed by the undersigned on behalf of the President of the United States, and most satisfactorily and cordially responded to by his most faithful Majesty.

In conclusion, the undersigned respectfully asks that this subject, in view of its importance and possible complications, may be brought to the early notice of his most faithful Majesty, so as to preclude the happening of events which might involve grave consequences, to which the interests and good will of both nations are alike opposed. He appreciates the reasons which have been assigned for the delay, since the subject was first presented by his immediate predecessor, in a note to his excellency M. d'Avila, dated on the 2d of July; but urgent considerations have recently arisen which require the undersigned to submit this request on behalf of the government of the United States.

The undersigned avails himself of this occasion to renew the assurances of his most distinguished consideration.

JAMES E. HARVEY.

Mr. Harvey to Mr. Seward.

No. 8.] LEGATION OF THE UNITED STATES,
Lisbon, July 30, 1861.

SIR: I received a note from Mr. d'Avila, the minister of foreign affairs, yesterday, requesting an interview with me at 4 o'clock. I called at the foreign office at the appointed hour, and he immediately presented the original draft, in Portuguese, of a proposed proclamation, of which I enclose a translated copy, marked No. 2. After hearing it read and reduced into English, I expressed my acceptance of its general scope and spirit, but expressly demurred to the declaration at the end of article 2, by which armed vessels are placed in the same category as privateers in regard to prizes. Although I knew it was of no practical importance to the United States under present circumstances, it was easy to foresee that in the event of war with England or France, and with their ability to blockade our ports, that prizes taken by American ships-of-war would be thus excluded from Portugal and her possessions. Hence my objection to that point. I told Mr. d'Avila that it went beyond the treaty of Paris, upon which the proclamation was professedly predicated, and that it did what I had sought to avoid by introducing indirectly our domestic question. He said his object was to exclude the prizes of vessels-of-war of the so-called Confederate States, in case they should create a navy, and thus to guard against any future complication. To this suggestion I answered that, as we were not dealing with supposititious or hypothetical cases, it was necessary to adhere to the practical question, and, as we had stated, on the basis of the declaration of Paris in regard to privateering and his own preamble set out with that statement, the introduction of any extraneous matter would be not only irrelevant, but likely to defeat the object which both sides alike professed to have in view. He did not respond to this suggestion, but agreed to let me take the rough draft, in order that I might submit whatever observations might occur to me as appropriate.

I prepared the accompanying note (marked No. 1) this morning, and sent it to Mr. d'Avila an hour ago.

There are two councils before which such questions are considered; first, the council of ministers or the cabinet; and second, the council of state, which is a larger body, and includes the cabinet and other distinguished persons. I understood Mr. d'Avila to say that the draft of the proclamation had been laid before the former, and approved by them, and that my proposed amendment must, therefore, be presented at another meeting. I have reason to believe that my note of Saturday precipitated this action, which, in a country where diplomacy is proverbially slow, exhibits unusual promptitude.

I am, sir, very respectfully, your obedient servant,

JAMES E. HARVEY.

Hon. W. H. SEWARD,
Secretary of State, Washington City.

No. 1.

LEGATION OF THE UNITED STATES,
July 30, 1861.

The undersigned presents his most respectful compliments to his excellency M. d'Avila, and referring to the conversation he had the honor to have with his excellency yesterday, and repeating his thanks for his excellency's courtesy in showing him the draft of the proclamation contemplated by the government of his most faithful Majesty, as a proper consequence and application of the principles adopted by Portugal by her adhesion to the declaration of Paris of April, 1856, he begs leave to submit the following observations to his excellency's enlightened consideration:

The declaration of Paris abolished privateering. It would seem to follow as a necessary logical consequence to all powers acceding to the same, that under no circumstances (except those of force, *majeure*, and brief, indispensable hospitality, in view of the laws of humanity) ought their ports to be open to the admission of privateers or their prizes. So far, then, as regards privateers and their prizes, the undersigned sees nothing but what he must approve in the draft of the proclamation referred to.

But the declaration of Paris did not go further, and change the established maritime law of the world in regard to the legality of the capture of prizes by the regular men-of-war of the naval forces whose fleets roam the ocean. Such prizes have always been deemed legitimate, and still remain so. It is no application of the principles of the declaration of Paris to exclude such regular and lawful prizes, made by the regular vessels of one nation, from the ports of a friendly nation. In this respect the words, "*on por embarcacoes annadas*," at the end of article 2, appear not only to go much beyond the principles of the declaration referred to, but even to be most unnecessarily introduced into a proclamation avowedly designed for the mere execution and practical application of the principles of that declaration. To introduce them at this moment in such a proclamation would be deemed by the government of the United States not only as a gratuitous deviation from the terms of the preamble to the same proclamation, but as a deviation prompted by a reason which would seem to involve an indirect, if not a direct, reference to the present rebellion of a small portion of the United States. It would be understood as placing on the same level the regular men-of-war of the United States and the privateers of the States now in rebellion, so far as regards the prizes made by them. It is only with reference to the principle involved, to the apparent inconsistency between the preamble and the sequence, and to the misconstruction to which it would be consequently liable, that the undersigned indulges the hope and expectation that the few words above cited may be omitted from the proposed proclamation, and takes occasion to say that in that form it will be perfectly acceptable to the government of the United States, and will add another to the many links of friendly relation and intercourse which already bind closely together the two countries.

It is only proper for the undersigned to notify his excellency M. d'Avila that information has been communicated to the government of the United States which authorizes the belief that some of the remote islands and colonies of this kingdom are proposed to be used by designing and reckless persons to engage in the nefarious enterprises referred to by the equipment of privateers, or the sale of prizes, if any should be taken. He knows perfectly well, in advance of any assurance, that such lawless undertakings would be sternly deprecated by the government of his most faithful Majesty; but his excellency cannot fail to discover in this fact an urgent reason why a proclamation of such sentiments, and in the unobjectionable form suggested, should be immediately made. It is with this view, and to provide against the contingency of future, and perhaps of impending, difficulty, that the undersigned has brought the subject thus promptly to the notice of his excellency, and with the most friendly spirit and purpose.

The undersigned begs leave to return the rough draft of the proclamation, and to repeat his assurances of respect and distinguished consideration.

JAMES E. HARVEY.

No. 2.

[Translation of proposed proclamation.]

It being convenient, under existing circumstances, to carry out the execution of the principles contained in the declaration of Paris of 16th April, 1856, made by the representatives of the signing parties to the treaty of peace of 30th March of the same year, to which my government hath adhered, I am pleased hereby, having heard the council of ministers, to decree the following:

ARTICLE 1.

It is prohibited to Portuguese subjects and foreigners to equip in the ports and waters of this kingdom, not only on the continent and adjacent islands, but also in the ultramarine provinces, vessels destined for privateering.

ARTICLE 2.

In the same points cited in the preceding article it is equally prohibited the entry of privateers and prizes made by them or by *armed vessels.*

§°. All cases of force, (*majeure,*) wherein, according to the rights of nations, hospitality becomes indispensable, are excepted from this clause without, however, allowing, under any form, that the sale of objects arising from prizes shall take place.

Let the ministers and secretaries of state of all the departments understand these presents, and cause the same to be executed.

PALACE OF NECESSIDADOS, *July* 29, 1861.

Mr. Seward to Mr. Harvey.

No. 2.]

DEPARTMENT OF STATE,
Washington, July 30, 1861.

SIR: Your despatches No. 1, of June 30, and No. 2, of July 7, have been received, and are under the consideration of the President.

Mr. Morgan's despatch No. 70, of the date of July 5, has been received. I am instructed by the President to say that Mr. Morgan's proceeding in addressing the Portuguese government on the subject of allowing the fitting out or harboring of privateers to prey upon the commerce of the United

States is approved, as well as the general tenor of his communication on that occasion.

The President cannot for a moment allow the belief that Portugal would be the only or even the first power to permit proceedings so injurious to the United States as a license or shelter granted to pirates engaged in preying on their commerce would be. Nevertheless, we shall look not without some solicitude for the result of the matter thus initiated by Mr. Morgan.

Please assure him, if he is yet remaining in Lisbon, of the entire satisfaction with which his conduct in the mission, so far as it has been reported to me, is regarded by the government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., *&c.*, *&c.*, *&c.*, *Lisbon.*

Mr. Seward to Mr. Harvey.

No. 5.]

DEPARTMENT OF STATE,
Washington, August 17, 1861.

SIR: Your despatch No. 7, dated July 28, has been received. It is accompanied by a copy of a note which you on the 27th of July addressed to M. d'Avila, minister for foreign affairs in the government of Portugal, on the subject of privateering by or in the service of the insurgents of the United States. Your proceeding in this respect seems to have been eminently judicious, and the note itself, I think, very well and properly expressed.

It is hoped that you will before this time have received such a satisfactory reply as our good relations and treaties with the government of Portugal authorize us to expect.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., *&c.*, *&c.*, *&c.*, *Lisbon.*

Mr. Seward to Mr. Harvey.

No. 7.]

DEPARTMENT OF STATE,
Washington, August 21, 1861.

SIR: Your despatch No. 4, under the date of July 20, has been received. Your address to his Majesty was appropriate, and even happy. His reply is very gratifying to this government.

We trust that you may find it easy to keep the relations between the two countries on a basis of mutual and cordial friendship.

I am, sir, respectfully, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., *&c.*, *&c.*, *&c.*, *Lisbon.*

Mr. Seward to Mr. Harvey.

No. 8.] DEPARTMENT OF STATE,
Washington, August 24, 1861.

SIR: Your despatch No. 8, dated July 30, has been received, and I have the pleasure of informing you that the President entirely approves of your diligent and judicious action concerning the proposed proclamation of the government of Portugal. We look with much confidence for good results from it.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES E. HARVEY, Esq., *&c., &c., &c., Lisbon.*

Mr. Harvey to Mr. Seward.

No. 13.] LEGATION OF THE UNITED STATES,
Lisbon, August 25, 1861.

SIR: I have the honor to enclose herewith the copy of a note from the foreign office, covering the copy of a proclamation in regard to privateers and their prizes, (Nos. 1 and 2,) in the form finally adopted by the council of state. This decree was published in the official paper (Diario de Lisboa) on the 23d instant, a copy of which has already been transmitted to the department.

By referring to my despatch No. 8, it will be seen that the preamble of the proclamation has been modified, so as to escape the logical inconsistencies which I then pointed out, in the hope of inducing the omission of certain phrases, which would have rendered it more acceptable. I have the best reason to know that the council of ministers, or cabinet, were not only well disposed to adopt my proposed amendment, but that they submitted the proclamation with the revision.

When this fact became known to me, I urged, with every influence and persuasion at my command, an immediate decision, so as to insure the promulgation before any interrupting cause or accident could intervene. But the King went away for a short time, and a council of state, to which the proposed action of the council of ministers on important questions is presented for examination, could not be convened. In the meantime intelligence from the United States of an eventful character affected opinion here, and gave increased weight to the objections which had been urged by the British minister and others against the form of proclamation which I had requested. A council of state was summoned upon the return of the King, and the result of their deliberations is to be found in the documents enclosed in this despatch.

While I should have been greatly gratified had my amendment been accepted, I have the satisfaction to know that it did not fail from any want of zeal, energy, or effort on my part, and that the proclamation as it now stands is mainly predicated upon your policy, in execution of the principle of the treaty of Paris, and is not open to the objections urged against those issued by England, France, or Spain.

I have the honor to be, sir, very respectfully,

JAMES E. HARVEY.

Hon. W. H. SEWARD,
Secretary of State.

Mr. d'Avila to Mr. Harvey.

[Translation.]

No. 1.] DEPARTMENT OF STATE FOR FOREIGN AFFAIRS,
August 22, 1861.

The councillor of state, Antonio José d'Avila, presents his most attentive compliments to Mr. James E. Harvey, and has the honor to remit him the enclosed copy of the decree of the 29th of July last, published according to the last form given thereto, after hearing the council of state.

[Translation.]

No. 2.] MINISTRY OF FOREIGN AFFAIRS.

It being proper, in view of the circumstances at present existing in regard to the United States of America, to carry into effect the principles established in the declaration of Paris of April 16, 1856, made by the representatives of the powers that signed the treaty of peace of the 30th of March of that year, to which declaration my government acceded, and likewise, for the same reason, to adopt other measures which I deem opportune, I have been pleased, after hearing the council of state, to decree as follows:

ARTICLE 1.

In all the ports and waters of this kingdom, as well on the continent and in the adjacent islands as in the ultramarine provinces, Portuguese subjects and foreigners are prohibited from fitting out vessels destined for privateering.

ARTICLE 2.

In the same ports and waters referred to in the preceding article is, in like manner, prohibited the entrance of privateers and of the prizes made by privateers, or by armed vessels.

§ The cases of overruling necessity, (*força maior*,) in which, according to the law of nations, hospitality is indispensable, are excepted from this regulation, without permission, however, being allowed, in any manner, for the sale of any objects proceeding from prizes.

The ministers and secretaries of state in all the departments will thus understand, and cause it to be executed.

PALACE OF NECESSIDADES, *July* 29, 1861.

KING.

MARQUEZ DE LOULÉ.
ALBERTO ANTONIO DE MORAES CARVALHO.
VISCONDE DE SÁ DA BANDEIRA.
CARLOS BENTO DA SILVA.
THIAGO AUGUSTO VELLOSO DE HORTA.
ANTONIO JOSÉ D'AVILA.

PERU.

Mr. Seward to Mr. Robinson.

No. 2.]

Department of State,
Washington, November 12, 1861.

Sir: You are appointed a minister to represent the United States near the republic of Peru.

This appointment is an overture by this government, under the present administration, to renew the friendly relations with Peru, which had been suspended, on the motion of this government, when administered by the last President, James Buchanan.

The Peruvian government may naturally ask and be entitled to an explanation of this change of position on the part of the United States.

It is confessed to be unfortunate when any government has occasion to reverse its policy in any material respect, especially a policy of friendship or of hostility towards foreign nations. Inconstancy is always liable to be mistaken for inconsistency, and inconsistency is too often the result of caprice.

Moreover, when we come to explain such a change in any case, however necessary it may have been, we shall still find it necessary to explain in such a manner as shall not cause it to be understood that the reconsideration is due to personal or partisan considerations indulged by the government.

Keeping these points in view, you will be at liberty to say, in your communications with the representatives and statesmen of the country to which you are accredited, that the President of the United States entertains the opinions that the several states founded on the American continent have common interests arising out of their neighborhood to each other, their common attitudes towards states in the eastern hemisphere, and the similarity of their commercial, social, and political institutions; that owing to the inexperience of mankind in the conduct of republican representative institutions, and the incompleteness of assimilation in the population of these American states, there is always too much danger of faction at home, while faction at home inevitably tends to invite intrigues and intervention from abroad for the overthrow of the American powers with hopes of reconquest from Europe. For these reasons, the President of the United States, without at all reflecting upon the sentiments or the action of his predecessor, determined, on assuming the administration of the government, to resist rather than to yield to influences which might tend to introduce anarchy into any one of the American states, or produce alienation and war between them.

In reviewing the causes assigned by his predecessor for withdrawing our representative from Peru, he came to the conclusion that, although serious differences had arisen between the two countries, yet that there was no imperative necessity resulting from those differences for a declaration of war against Peru. Not being able to recommend to Congress the adoption of hostilities against Peru, it seemed to result that the differences between the two states might be accommodated by the two powers in case of renewed and pacific relations.

The questions in difference between the two countries will be a subject of special instruction in a distinct paper. I confine myself in this despatch to instructions for your conduct in presenting yourself at Lima.

You will assure the government of Peru that the United States are sincere and earnest in their friendship and affection for that republic; that they desire its prosperity and advancement, equally for the welfare of its own people and the best interests of civilization; and that consistently with that regard for own rights, which every nation must always cherish which is really independent, the United States will always be found to manifest the most cordial sympathies with the republic of Peru, and with other sister states on the American continent.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CHRISTOPHER ROBINSON, Esq., *&c.*, *&c.*, *&c.*

GUATEMALA.

Mr. Crosby to Mr. Seward.

[Extract.]

No. 1.] LEGATION OF THE UNITED STATES,
Guatemala, June 1, 1861.

SIR: * * * * * * * * *

His excellency the President of Guatemala and his ministers, as well as the other officers and gentlemen of the government and country, all express their great friendship for the government and people of the United States, and especially their fervent hope that the present administration might successfully suppress the disturbances in portions of the southern States, and maintain the Union in all its integrity.

* * * * * * * * * *

I have the honor, &c.,

E. O. CROSBY.

Hon. W. H. SEWARD,
Secretary of State.

NICARAGUA.

Mr. Seward to Mr. Dickinson.

No. 2.]

Department of State,
Washington, June 5, 1861.

Sir: The Spanish American states are important characters in the interesting drama of advancing civilization. They occupy a virgin domain equal to about one-eighth of the habitable part of the globe. Its fountains of wealth are inexhaustible. Its position secures it nearly equal advantages of trade and intercourse with the listless nations of the east, and with the vigorous nations of the west. Its ports, as well as all its transit routes are essential features in the commerce of the world. With the advantages of youth and singular exemption from foreign oppression or aggression which the Spanish American states have enjoyed for near half a century, it might have been expected that they would within that period have become strong and influential nations. The fact, thus far, is otherwise. They are just strong enough to maintain independence without securing necessary fear or respect. With much versatility, respectable talent, high cultivation, and very generous aspirations, they are generally changeful and capricious. The very mention of a South American state suggests always the same inquiry: why a people so free, so virtuous, so educated, and so emulous, are not more secure, fortunate, and happy. Everybody wishes the Spanish American states well, and yet everybody loses patience with them for not being wiser, more constant, and more stable. Such, I imagine, is the temper in which every foreign state finds itself when it proposes to consider its relations to those republics, and especially the republics of Central America. I know, at least, that this has always been the temper of our best statesmen in regard to Nicaragua. Union, or, at least, practical alliance with Nicaragua has always been felt by them as a necessity for the United States, and yet no one ever deems it prudent to counsel the establishment of such intimate relations. Possessing one of the continental transits most interesting to the United States, Nicaragua is at once jealous of foreign intervention to render it available, and incompetent to open and maintain it herself. But Nicaragua, like the other Spanish American states, has far better excuses for its shortcomings than it generally has credit for. That state became precociously mature, and it adopted our model of government with little of that preliminary popular education and discipline which seem necessary to enable any people to administer, maintain, and preserve free republican institutions. The policy pursued by foreign nations towards Nicaragua has not been liberal or generous. Great Britain, in her wars with Spain, early secured a position in the state very detrimental to its independence, and used it to maintain the Indians in a condition of defiance against the creole population, while it did nothing, at least nothing effectually, to civilize the tribes whom it had taken under its protection. Unwilling to lend the aid necessary to the improvement of the country, Great Britain used its protectorate there to counteract domestic efforts and intervention from this government to make that improvement which was necessary for the interest of Nicaragua herself, and hardly less necessary for all the western nations. Our own government has been scarcely less capricious, at one time seeming to court the most intimate alliance, at another treating the new republic with neglect and indifference, and at another indirectly, if not directly, consenting to the conquest and desolation of the country by our own citizens for the purpose of re-establishing the institution of slavery, which it had wisely rejected. It may be doubtful whether Nicaragua has not until this day been a loser instead of a gainer by her propinquity to, and intercourse with, the United States.

Happily this condition of things has ceased at last. Great Britain has discovered that her Mosquito protectorate was as useless to herself as it was injurious to Nicaragua, and has abandoned it. The United States no longer think that they want slavery re-established in that state, nor do they desire anything at the hands of its government but that it may so conduct its affairs as to permit and favor the opening of an inter-oceanic navigation, which shall be profitable to Nicaragua and equally open to the United States and to all other maritime nations.

You go to Nicaragua in this fortunate conjuncture of circumstances. There is yet another comfort attending your mission. Claims of American citizens upon the government of Nicaragua have long been a source of diplomatic irritation. A convention which provides for the settlement of these claims has been already negotiated. It wants only the consent of the Senate of the United States to an amendment proposed by Nicaragu, which, it is believed, would not materially change the effect of the convention, and such consent may, therefore, be expected to be given at the approaching special session of Congress.

Your instructions, therefore, will be few and very simple. Assure the republic of Nicaragua that the President will deal with that government justly, fairly, and in the most friendly spirit; that he desires only its welfare and prosperity. Cultivate friendly dispositions there toward the United States. See that no partiality arises in behalf of any other foreign state to our prejudice, and favor, in every way you can, the improvement of the transit route, seeking only such facilities for our commerce as Nicaragua can afford profitably to herself, and yield, at the same time, to other commercial nations.

Let unpleasant memories of past differences be buried, and let Nicaragua be encouraged to rely on the sympathy and support of the United States if she shall at any time come to need them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

A. B. Dickinson, Esq., *&c.*, *&c.*, *&c.*

EGYPT.

Mr. Thayer to Mr. Seward.

No. 3.]

UNITED STATES CONSULATE GENERAL,
Alexandria, Egypt, June 29, 1861.

SIR: I have the honor to inform you of my arrival at this port on the morning of the 26th instant. The interruption of travel between Washington and New York, consequent on the late riotous proceedings in Baltimore, and my illness in Europe, necessarily prevented an earlier appearance at my post.

Immediate notice of my arrival, coupled with a request for an early inter view with the viceroy, was served on the minister of foreign affairs, who telegraphed accordingly to the Pacha, then sojourning at his palace in Benha, about one hundred and twenty miles distant A reply arrived on the evening of the 28th instant, that his highness would visit Alexandria and give an official reception. The promptness of his response, and his obliging readiness in voluntarily foregoing the usage which has heretofore required diplomatic agents, when asking an immediate interview, to present themselves in whatever part of Egypt he may have happened to be, instead of his coming to meet them, are interpreted here as marks of special courtesy to the government of the United States.

At half-past eight, according to previous arrangement, the dragoman of the viceroy arrived at the United States consulate with the state carriage, in which, together with our vice-consul, Mr. Johnson, I was conveyed to the palace built by the late Mohammed Ali on the sea-shore. We were also accompanied by a cavalcade of guards and janizaries attached to the other consulates at Alexandria. As we entered the court-yard the troops were drawn up in a line, with quite a fine effect, on our right, and we were greeted with the vigorous music of a military band.

Passing up the steps of the palace, and between the numerous attendants and officers who stood in order on each side, I was welcomed by the minister of foreign affairs, and by him presented to the viceroy, who advanced towards the centre of the spacious hall of reception. I then addressed him as follows:

"YOUR HIGHNESS: I have the honor to present to your highness a letter of credence from the President of the United States, announcing that I have been duly appointed to be the consul general of the United States for Egypt and its dependencies.

"In thus accrediting me as a diplomatic agent, the President desires me to assure your highness of his cordial friendship, and of his satisfaction in the continuance of those amicable relations which have so long and so happily subsisted between the governments of your highness and of the United States.

"During my official residence it will be my pleasant duty, acting in harmony with these assurances of the President, to use all honorable means to protect the interests of my fellow-citizens, and at the same time to foster a good understanding between them and the subjects of your highness. May these purposes receive your highness's benevolent approval."

In accepting my credentials, his highness replied, in French, that he perfectly understood and was much pleased with what I had said; that he welcomed me to Egypt, and hoped that his relations with the United States woud be as agreeable hereafter as they had been in times past.

The viceroy then invited me to the divan, where we sat holding a few minutes of informal conversation, with the usual accompaniment of pipes and coffee. His highness was in his most affable humor. He hoped that Egypt would prove agreeable to me, though I might find it very different from the United States. Here in Egypt, he remarked, things go on very smoothly. I replied, in so far as things went smoothly, I trusted the United States would be able to imitate the government of his highness. The viceroy laughed, and then proceeding from gay to grave, mentioned the melancholy tidings he had heard the night before of the Sultan's death. I responded that I lamented the sad event, but was very glad, nevertheless, that the viceroy was in excellent health. His highness, whose domains are but nominally a dependency of the Sultan's, seemed to take pleasure in this compliment. To the suggestion that a voyage to the United States in one of the excellent steam yachts of his navy might be interesting to him, the viceroy answered that he could not leave his country for so long a time. This, I assured him, was the worst disability under which his highness labored. The viceroy made no explicit reference to the present domestic disturbances in the United States, but expressed his good wishes for the welfare and harmony of our government.

I was next invested with "the sabre of honor," and returned home, escorted in the state carriage as before. Immediately on my reception by the viceroy a salvo of cannon had been fired, and at the signal, the national flags of all the fifteen consulates in Alexandria were raised for the day in compliment to the occasion. A horse, handsomely caparisoned, awaited me as I left the palace, and was led to the consulate as the gift of the viceroy. The uniform usage in Egypt makes this present so essential a part of a first official reception by the viceroy, that the refusal of it would be deemed ungracious, and our government, in the case of all my predecessors, has permitted its acceptance. As the oriental custom on such occasions made it necessary for me to disburse a considerable sum of money in gratuities to the very numerous soldiers and servants of the viceroy, his gift may be regarded as in some degree reciprocated. The pecuniary value of the horse is by no means large.

On returning to the consulate I found the military band of the viceroy stationed in front, who continued their complimentary services during the whole day. The consuls general of other nations, and the viceroy's minister for foreign affairs, then called upon me, appearing in full uniform; and in the afternoon I returned their visits, paying my respects first to the minister. By the minister and by the consuls a deep and intelligent interest was manifested in the affairs of the United States, and warm wishes were expressed for the continuance of our Union. The vigor of our government, and the vastness, suddenness, and spontaneous character of the military movement of our people in the pending struggle for national integrity, seem to have filled them with surprise. Indeed, among all well-informed men here, as well as elsewhere abroad, the historic battle fields of Europe have paled in interest before the tremendous uprising of the great nation beyond the Atlantic. They almost forget the political complications nearer home in studying the military map of the United States. The book-shops of the principal transatlantic cities abound in maps, charts, and other publications illustrative of the American contest, and the United States will become to masses, hitherto ignorant of its geography, a ground more familiar than were India and the Crimea when the progress of armies made their localities significant to the whole world.

I have the honor to be, sir, your obedient servant,

WILLIAM S. THAYER.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

Mr. Thayer to Mr. Seward.

[Extract]

No. 4.] UNITED STATES CONSULATE GENERAL,
Alexandria, Egypt, July 20, 1861.

SIR: * * * * * * * *

Mr. Haywood, secretary of the Manchester Cotton Supply Association, is expected here daily on a mission to Egypt and India, relative to the prospective deficiency of cotton produced by the pending conflict in the United States.

Mr. Haywood, while here, will endeavor to induce the Egyptian government to extend the cultivation of cotton. It is believed that the crop in Egypt could be increased tenfold if the government would tender its aid. Carelessness in allowing the small canals of irrigation to be obstructed is said to be a cause of the comparative meagreness of the average yield of this important staple.

This year, owing to the unusual height of the last overflow of the Nile, the crop promises to exceed considerably that which preceded it. In expectation of a scarcity in England, some of the commercial houses of Alexandria are sending agents into the interior to buy up the cotton in advance of harvest. But so well understood is the condition of the cotton growing region in the United States, even by the poorest fellahs, (peasants,) that it is difficult to persuade them to sell on terms which heretofore they would have been delighted to accept. The ruling price, at the last quotations, of Mako, which ranks next to Sea Island cotton, is 275 piastres ($13 75) per cantar (a quintal;) but some of the largest cotton growers insist on $17 00, and are holding back for that unheard of figure.

The following information is derived from intelligent men whose business connexions in Egpyt give authority to their statements in reference to this important question. I also communicate some tabular statistics which are appended to this despatch.

The cotton crop of Egypt commences to be gathered about the middle of September. There are two qualities, the Sea Island and the Mako.

The Sea Island cottons are divided into two kinds. The first is that of which the seed is new, and which is sown for the first time in Egypt. The second is that which has been sown for the second time. The Sea Island, after the second planting, are changed into fine Mako.

The Mako are divided into three kinds, which in commerce are called fine quality, medium quality, and inferior quality.

It is very difficult to give an exact statement of the number of quintals which Egypt annually produces. But, according to the official tables of exports, the total amount of crop is valued, on an average yearly, at from four hundred and sixty thousand to five hundred and fifty thousand, divided as follows:

	Quintals.
Sea Island, 1st kind	2, 000 to 2, 500
Sea Island, 2d kind	1, 000 to 1, 500
Mako, fine	100, 000 to 140, 000
Mako, medium	300, 000 to 380, 000
Mako, inferior	47, 000 to 56, 000
	460, 000 to 550, 000

The prices during the six months ending June 30, 1861, have been—

	Piastres per quintal.
Sea Island, 1st kind	450 to 500
Sea Island, 2d kind	320 to 390
Mako, fine	250 to 360
Mako, medium	230 to 270
Mako, inferior	180 to 230

According to the statistics of exports, (they) have been as follows:

	1859.	1860	1861, 1st six months.
	Quintals.	*Quintals.*	*Quintals.*
For England	325, 401	311, 253	264, 876
For Austria	78, 372	41, 080	22, 020
For France	98, 672	78, 302	117, 656
For Italy	200	160	20
For Spain	....	620	....
For Antwerp	....	....	156
Total	502, 643	431, 415	404, 728

The tabular results of the last six months indicate that England will absorb a far larger proportion of Egyptian cotton than heretofore.

As before remarked, a favorable expectation prevails respecting the new crop, because the waters of the Nile have now almost reached the level of the same period last year. But this expectation may fail, for the goodness of the crop depends, not solely on the overflow of the Nile, but also on the winds, which are more or less auspicious at the time of the efflorescence of the pods.

Thus far the disturbances in America, which have produced various fluctuations in the price of cotton, have not as yet caused an increase of more than two dollars (40 piastres) per quintal.

An informal application has been made to me in behalf of various Greek and Italian residents of Alexandria, who desire to enlist in the military service of the United States, if means shall be furnished to transport them thither. I replied that I should, while appreciating their benevolent wishes to our country, await instructions from my government before giving them any encouragement.

The 4th of July, in Alexandria, was observed in the usual manner. The flags of all the fifteen consulates were raised for the day. The minister of foreign affairs of the Egyptian government also paid me his annual visit in honor of the occasion, during which he expressed his wishes for the permanence of our Union, and his opinion of the hopelessness of the cause of its domestic enemies. He appeared quite astonished at the magnitude and efficiency of our military operations.

At a dinner, given by the vice-consul in honor of the day, which was attended by the consul general of the kingdom of Italy and other distinguished residents of the city, the occasion was enthusiastically commemorated.

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Respectfully, your obedient servant,

WM. S. THAYER,
U. S. Consul General for Egypt.

Hon. W. H. Seward,
Secretary of State, Washington, D. C.

Cotton exported from Egypt during the last five years, 1856–'57–'58–'59–'60.

1856.	1857.	1858.	1859.	1860.
Cantars, 539,885.	Cantars, 490,968.	Cantars, 519,537.	Cantars, 502,645.	Cantars, 501,324.
Or bags of 2 cantars each, 269,942.	Or bags of 2 cantars each, 245,484.	Or bags of 2 cantars each, 259,768.	Or bags of 2 cantars each, 251,322.	Or bags of 2 cantars each, 250,662.
Or pressed bales of 4 cantars each, 134,971.	Or pressed bales of 4 cantars each, 122,742.	Or pressed bales of 4 cantars each, 129,884.	Or pressed bales of 4 cantars each, 125,661.	Or pressed bales of 4 cantars each, 125,331.

This year's crop is not yet known, it being still growing, and will be gathered about the months of September to December, although it is estimated to be equal to that of the preceding years.

Alexandria, Egypt, *July* 15, 1861.

Mr. Seward to Mr. Thayer.

No. 3.]

Department of State,
Washington, August 13, 1861.

Sir: I have received and have read with much interest your despatch of the 29th of June, (No. 3,) announcing your arrival in Egypt, and giving an account of your reception by the viceroy. Your remarks on that occasion, as well as your conduct throughout the imposing ceremonial, are approved, and the friendly feeling towards the United States manifested by his highness in your interview with him, and subsequently by his minister of foreign affairs, and by the consuls general representing other nations in Egypt, is very gratifying.

I am, sir, your obedient servant,

WM. H. SEWARD.

William S. Thayer, Esq.,
Consul General of the United States, Alexandria, Egypt.

VENEZUELA.

Mr. Turpin to Mr. Seward.

[Extract.]

No. 45.]

LEGATION OF THE UNITED STATES,
Caracas, July 27, 1861.

SIR: * * * * * * * *

The President has promised me to issue instructions to all *comandantes de puerto* of the republic prohibiting admission of all vessels under that [the confedate] flag into its ports, except in cases of distress. I could not obtain from him their complete denunciation as pirates.

* * * * * * * * *

I have the honor, &c.,

E. A. TURPIN.

HON. WM. H. SEWARD, *Secretary of State.*

CHILI.

Mr. Bigler to Mr. Seward.

[Extract]

No. 136.] LEGATION OF THE UNITED STATES,
Santiago de Chili, August 2, 1861.

SIR: I have the honor to enclose herewith, marked A, a copy of a note by me addressed to his excellency the secretary of foreign relations of Chili, dated July 31, 1861.

* * * * * * * * *

I have the honor to remain, very respectfully, your obedient servant,
JOHN BIGLER.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States.

A.

LEGATION OF THE UNITED STATES,
Santiago de Chili, July 31, 1861.

SIR: The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, has the honor to inform your excellency that, in consequence of the President of the so-called "Confederated States of America" having issued a proclamation announcing that he has been empowered and is prepared to issue letters of marque to all who are willing to enter the service of the said States as privateers, he, the undersigned, has been instructed by his government to be vigilant to the extent of his power to prevent vessels from being fitted out in the ports of Chili under the authority of the said "Confederated States." The government of the undersigned, denying the right of the States composing the so-called "Confederated States of America" to secede, as they have done, from the American Union, and maintaining that the people of the States which have so seceded still owe fealty to the Constitution and laws of the United States, has determined to enforce obedience thereto on the part of the whole people thereof, and has solemnly proclaimed and declared that any person who shall, "under the pretended authority of the Confederated States, or under any other pretence, molest a vessel of the United States, or the persons or cargo on board of her, such person will be held amenable to the laws of the United States for the prevention and punishment of piracy."

Information has recently been communicated to the undersigned of such a character and from such sources as to induce the belief on his part that there are now, or have very recently been, in Chili parties endeavoring to effect a purchase of munitions of war to be used in fitting out privateers for the service of the so-called "Confederated States of America."

Although the undersigned cannot vouch for the correctness of this information, he can assure your excellency that he regards the same of sufficient importance, in view of the before-mentioned instructions of his government, to require him to inform your excellency thereof, and to very respectfully suggest to your excellency's government to adopt such measures as it may deem advisable to secure vigilance on the part of the proper officials to prevent the fitting out of privateers in the ports of Chili with a view of committing assaults upon the lives and property of citizens of his country engaged in lawful commerce.

In conclusion, the undersigned begs to add that he has directed inquiries to be made at the different ports in Chili, and that he will promptly impart to your excellency's government any important facts relating to the object of this note which may hereafter come to his knowledge.

The undersigned avails himself of this occasion to renew to your excellency assurances of his sincere respect and high consideration.

JOHN BIGLER.

His Excel'y the Secretary of Foreign Relations
Of the Republic of Chili.

Mr. Bigler to Mr. Seward.

[Extract.]

No. 138.]

Legation of the United States,
Santiago de Chili, August 17, 1861.

Sir: "In my despatch, No. 136, dated August 2, 1861, I had the honor to enclose a copy of a note by me addressed to his excellency the secretary of foreign relations of Chili, inviting his attention to the instructions given me by my government, and also to rumors which had reached me concerning efforts making in the city of Valparaiso to obtain munitions of war to be used, as was feared, in fitting out privateers, under the authority of the so-called 'Confederate States of America.'

"I now have the honor to enclose herewith, marked A, a copy and translation of his excellency's reply to my note above alluded to, and which, as it is exceedingly cordial, and in every respect highly satisfactory, it is hoped will be read with care and pleasure by you."

* * * * * * * * *

I have the honor to remain, very respectfully, your obedient servant,

JOHN BIGLER.

Hon. William H. Seward,
Secretary of State of the United States.

A.

Mr. Varas to Mr. Seward.

[Translation.]

L. S.]

Santiago, *August* 7, 1861.

Sir: I have had the honor of reading the note dated the 31st ultimo, which your excellency was pleased to address me. In it your excellency informs me that you have received instructions from your government to endeavor to impede, as far as your powers will permit, that in the ports of Chili privateers be armed for the service of the States which have recently declined to recognize the authority of the government of the Union, and have constituted themselves under a *de facto* government, with the title of Confederated States of America—instructions given to your excellency in consequence of a recent proclamation of the President of these States, wherein he announces that he is empowered and prepared to issue letters of marque.

At the same time your excellency informs me that you have recently received information inducing you to believe that there are at present, or recently have been, in Chili, persons endeavoring to purchase munitions of war, in order to employ the same in arming privateers for the service of the said Confederated States of America; and in view of this information your excellency signifies to me a desire that my government adopt such measures as it may deem expedient, in order to prevent the fitting out of such privateers in the ports of the republic.

I must assure your excellency, in reply, that my government, complying with the duties which it owes to a friendly state, is disposed to prevent preparations of warlike character, or any other operations hostile to the United States, from being effected in any port whatever of the territory of the republic; and that consequently the necessary orders will be given to the respective authorities to keep especial watch in this particular. However, as far as regards privateering expeditions which may prepare or arm themselves on the coasts of Chili, it might happen in many cases that the zeal and vigilance of the authorities might prove inefficacious to discover them; so that it is to be desired that whatever news your excellency might obtain on the subject, you would have the kindness to transmit the same to me, in order that I might, in view thereof, issue the most opportune instructions to frustrate the carrying out of such expeditions.

In the mean time will your excellency be pleased to accept the assurances of my distinguished consideration, with which I remain your excellency's most obedient servant,

ANTONIO VARAS.

The Envoy Extraordinary and Minister Plenipotentiary
Of the United States of North America.

Mr. Bigler to Mr. Seward.

[Extract.]

No. 139.]

Legation of the United States,
Santiago de Chili, September 2, 1861.

"Herewith I have the honor to enclose, marked A, a copy of a communication by me addressed to his excellency the secretary of foreign relations of this republic, under date of August 21, 1861, in acknowledgment of a note from his excellency, dated August 7, 1861, upon the subject of the suppression of rumored privateering expeditions, which note formed enclosure A in my despatch No. 138."

* * * * * *

I have the honor to remain, very respectfully, your obedient servant,

JOHN BIGLER.

Mr. Bigler to Mr. Varas.

LEGATION OF THE UNITED STATES,
Santiago de Chili, August 21, 1861.

SIR: The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, has the honor to acknowledge the receipt of your excellency's note, dated August 7, 1861, in reply to his note of the 31st ultimo, wherein your excellency is pleased to give assurances that the necessary orders will be transmitted to the respective authorities to prevent the making of preparations of war, or any other operations hostile to the United States, within the territory of the republic, and requesting the undersigned to transmit to your excellency any information which he may obtain of contemplated privateering operations, in order to facilitate the frustration of the objects of such expeditions.

The undersigned, in acknowledging the receipt of these eminently satisfactory assurances, which he most cordially appreciates, as will also his government, desires to state that any information upon the subject, of a definite character, which he may receive, will be immediately communicated to your excellency's government.

The undersigned avails himself of this occasion to renew to your excellency the earnest assurances of his distinguished consideration and respect.

JOHN BIGLER.

His Excellency the SECRETARY OF FOREIGN RELATIONS
Of the Republic of Chili.

HAWAIIAN ISLANDS.

Mr. Dryer to Mr. Seward.

[Extract.]

No. 4.] Legation of the United States at the Hawaiian Islands,
Honolulu, September 5, 1861

* * * * * *

I have not been able yet to obtain from the Hawaiian government such a proclamation as I desired upon the subject of privateering, or the permission to enter the ports of this kingdom of any suspicious vessels.

The King and a portion of his counsellors are sojourning on the island of Hawaii during the summer months. Copies of the President's proclamation in relation to blockade of southern ports, together with the despatches from the Department of State accompanying them, have been furnished to the minister of foreign relations, since which I have had several interviews with that minister relative to the policy of this government towards privateering, and the occupancy of their ports by privateering vessels or prizes which might be captured by them.

* * * * * *

No. 1.] Legation of the United States at the Hawaiian Islands,
Honolulu, July 24, 1861.

Sir: I have the honor to enclose herewith copies of two despatches from the Hon. William H. Seward, Secretary of State of the United States, and of two proclamations (April 19 and April 27, 1861) issued by his excellency Abraham Lincoln, President of the United States, announcing the blockade of the ports of several of the southern States, and making known that all persons acting under the pretended authority of the aforesaid southern States, or under any pretence whatever, who shall molest vessels of the United States or their cargoes, shall be considered and dealt with as pirates.

You will observe, by a perusal of the copy of Mr. Seward's despatch to me of the 20th April, 1861, that I am instructed to be vigilant in preventing aggressions upon American commerce by vessels or persons acting under the pretended authority mentioned.

To this end I would respectfully call your attention to the fact that the American clipper ship Bald Eagle, bound from San Francisco to China, with a large amount of treasure on board, having been chased, on her passage to this group, by a suspicious vessel, and to officially inquire of you what course his Hawaiian Majesty's government intends to pursue with regard to vessels of this description found frequenting the King's waters, or touching for supplies or repairs at any of the ports in his Majesty's dominions.

I have the honor to be, with great respect, your obedient servant,

THOMAS J. DRYER.

His Excellency R. C. Wyllie,
His Hawaiian Majesty's Minister of Foreign Affairs, &c., &c., &c.

No. 1.]

Department of Foreign Affairs,
City of Honolulu, July 27, 1861.

Sir: I have the honor to acknowledge the receipt of your despatch of the 24th instant, with its four enclosures, which you did me the great favor of delivering personally, along with verbal explanations, for which I beg to thank you in the name of the King's government.

By your despatch and its enclosures I am informed that the honorable Secretary of State, William H. Seward, apprehensive lest, "under the pretended authority of the so-called Confederate States of America," privateers might be fitted out in the ports of this kingdom for the purpose of aggression on the commerce of the United States, instructed you, on the 20th of April last, to be vigilant in preventing any such unlawful purpose; to make known to the proper authorities of this government the proclamations issued by the President; impart to them all facts upon the subject which might come to your knowledge; and to ascertain from the King's government, officially, what course they intended to pursue with regard to vessels of that description frequenting the King's waters, or touching for supplies or repairs at any of the ports in his Majesty's dominions; all which instructions you carried out very fully, and with great courtesy, in your precited despatch, and in the facts, no less important to the United States than to this kingdom, which you were pleased to impart to me verbally on the occasion of its delivery.

In reply, I have the honor to refer you to the proclamation of the late King of 16th May, 1854, asserting his neutral rights within the whole extent of his jurisdiction, declaring all captures and seizures made within that jurisdiction to be unlawful, and prohibiting his subjects from engaging, either directly or indirectly, in privateering, under the penalty of being treated and punished as pirates; to the resolution of his late Majesty, in privy council of 15th June, 1854, prohibiting the sale of prizes within his jurisdiction, and to the resolution of his late Majesty, in privy council of the 17th July of the same year, prohibiting all privateers, and prizes made by them, from entering the ports of this kingdom, unless in such circumstances of distress that their exclusion would involve a sacrifice of life, and then only under special permission of the King, after proof to his Majesty's satisfaction of such circumstances of distress; copies of all which you will find in your archives, for they were duly passed at the time to the Hon. David L. Gregg for his own and the information of his government.

I have the honor to enclose copy of the reply of the honorable judges of the supreme court, dated yesterday, in reply to my letters to them of the 5th, 10th, 13th, and 24th instant, from which you will see that, in their opinion, the said proclamation and resolutions are in accordance with the rights of the King, and with his Majesty's duties as a neutral sovereign to the United States; and that under the same neither can privateers be fitted out in the ports of this kingdom, nor can its ports be used as a depot for the spoils or the prisoners made by privateers.

Therefore it only remains for me to make known to the King, who is at Kailua, your despatch and its enclosures, also the opinion of his Majesty's judges of the supreme court, and to suggest to his Majesty that he be pleased to issue a proclamation revalidating the aforesaid proclamation and resolutions, with an order that copies of such proclamation be published in the Polynesian, and served immediately by the pilots or harbor master upon any belligerent vessel that may appear in his Majesty's waters, until the conclusion of the civil war now unhappily devastating the United States.

You can assure the honorable Secretary of State of your government that the King, knowing well his obligations and responsibilities to the United States under the law of nations and the existing treaty, will neglect no means to fulfil them to the utmost extent of his power; but destitute as you know him to be of either army, navy, or forts, that power is only *moral*, and if armed vessels should enter his waters, disregarding alike his neutral rights and the law of nations, captures might be made within his jurisdiction contrary to his proclamation, and in spite of all the efforts that he could make to prevent them.

Therefore I repeat what I had the honor to state to you verbally, that in a port where many millions of value in American whaleships, oil and bone, and in merchant vessels, are often to be found, and which might be captured or burnt by one strong privateer, in defiance of all the King's forces, it is of urgent necessity that Honolulu should not be left without the presence of a vessel-of-war of the United States of sufficient power to deter any such privateer from committing aggressions on the ships or property of the citizens of the United States within the King's jurisdiction. I was happy to understand from you that you had not neglected to make such a recommendation to your government.

In conclusion, let me assure you that in this and every other international matter it will afford me the utmost pleasure to confer and concert with you with all that frankness and confidence that, according to Martens and other publicists, ought to exist between a foreign representative and the minister of foreign affairs of the country to which he is accredited and sent; but more especially be assured of the high respect and very distinguished consideration with which I have the honor to be, sir, your most obedient, humble servant,

R. C. WYLLIE.

Hon. Thomas J. Dryer, *Com'r of the United States to the Hawaiian Islands.*

Court-House,
Honolulu, July 26, 1861.

Sir: I have the honor to receive your communications of the 1st, 10th, 13th, and 25th instant, and their enclosures. The justices of the supreme court have examined the proclamation issued by her Britannic Majesty the Queen, and also the proclamation issued by the President of the United States, issued in consequence of hostilities having arisen between the government of the United States and certain States styling themselves the Confederate States of America, together with the communication of the Secretary of State, Mr. Seward, and the commissioner of the United States at this court accompanying them.

Mr. Seward is apprehensive that efforts may be made to fit out privateers in our ports for the purpose of aggression on American commerce. To permit it would unquestionably be a breach of neutrality and in derogation of our duty; neither can our ports be used as a depot for the spoils or the prisoners of privateers.

We have also examined the proclamation issued in 1854 by his Majesty the King, proclaiming neutrality in the war then pending between the great maritime powers of Europe, and the resolutions of the privy council which accompanied it, and we are of opinion that similar declarations at this time will be in accordance with our rights and duties as neutrals.

I beg to return to you the enclosures which accompanied your communications.

I have the honor to be, sir, your most obedient servants,

ELISHA H. ALLEN.
G. M. ROBERTSON.

His Excellency R. C. Wyllie, *Minister of Foreign Affairs*

Mr. Dryer to Mr. Seward.

No. 5.] Legation of the United States at the Hawaiian Islands,
Honolulu, September 7, 1861.

Sir: Since my despatch of the 5th September was closed and mailed, Mr. Wyllie has sent to this legation another draft of a proclamation of the King in relation to privateering, &c., &c. This is an improvement on the former one sent to me, and which I returned.

I have only time to make a copy, which please find enclosed, and which I send for the information of the government at Washington.

I am, sir, with great respect, your obedient servant,

THOMAS J. DRYER.

Hon. Wm. H. Seward,
Secretary of State, Washington.

Proclamation of Kamehameha IV, King of the Hawaiian Islands.

Be it known to all whom it may concern, that we, Kamehameha IV, King of the Hawaiian Islands, having been officially notified that hostilities are now unhappily pending between the government of the United States and certain States thereof, styling themselves "The Confederate States of America," hereby proclaim our neutrality between said contending parties.

That our neutrality is to be respected to the full extent of our jurisdiction, and that all captures and seizures made within the same are unlawful, and in violation of our rights as a sovereign.

And be it further known that we hereby strictly prohibit all our subjects, and all who reside or may be within our jurisdiction, from engaging, either directly or indirectly, in privateering against the shipping or commerce of either of the contending parties, or of rendering any aid to such enterprises whatever; and all persons so offending will be liable to the penalties imposed by the laws of nations, as well as by the laws of said States, and they will in nowise obtain any protection from us as against any penal consequences which they may incur.

Be it further known that no adjudication of prizes will be entertained within our jurisdiction, nor will the sale of goods or other property belonging to prizes be allowed.

Be it further known that the rights of asylum are not extended to the privateers or their prizes of either of the contending parties, excepting only in cases of distress or of compulsory delay by stress of weather or dangers of the sea, or in such cases as may be regulated by treaty stipulation.

Given at our marine residence of Kailua this 26th day of August, A. D. 1861, and the seventh of our reign.

KAMEHAMEHA.

By the King.

KAAHUMANU.

By the King and Kuhina Nui.

R. C. WYLLIE.

JAPAN.

Mr. Harris to Mr. Seward.

No. 28.] Legation of the United States in Japan,
Yedo, July 9, 1861.

Sir: It is my unpleasant duty to inform you that a daring and murderous attack was made on the British legation in this city on the night of the 5th instant.

Mr. Alcock providentially escaped uninjured, but Mr. Oliphant, secretary of legation, and Mr. Morrison, consul for Nagasaki, were wounded. Four of the assailants were killed, and two wounded were made prisoners. Of the Japanese defenders of Mr. Alcock three were killed and fifteen wounded.

For full details of this bloody affair I beg to refer you to the following enclosures:

No. 1, Mr. Alcock to Mr. Harris, July 6.
No. 2, Mr. Harris to the ministers for foreign affairs, July 8.
No. 3, Mr. Harris to Mr. Alcock, July 8.
No. 4, Mr. Alcock to Mr. Harris, July 8.

The Japanese were evidently taken by surprise, but they soon recovered from it and fought with great bravery, and at last beat off the assailants.

This is the first instance in which a blow has been struck in defence of a foreigner in this country, and may be considered as proof of the desire of this government to give us protection.

I consider the present as a crisis in the foreign affairs of Japan, for if the government is too weak to punish the instigators and agents of this nefarious affair, it may be believed that it will lead to some very decided action on the part of the English government, for the outrage was too great to be overlooked.

There is a party in this country who are opposed to the presence of any foreigners in Japan, and, in addition to this, there is a very strong dislike to the English in particular, which feeling seems to attach especially to Mr. Alcock. He was absent from this city for some three months, during which time the utmost quiet prevailed; yet within thirty-six hours after his return the attack in question was made on him.

I am happy to say that these prejudices do not extend to our citizens in this country, and I think that I am personally popular among all classes of the Japanese. Yet it must not be concealed from you that I am, in common with my colleagues, subject to the same unpopularity that attaches to the presence of all foreigners in Japan

I have requested the ministers for foreign affairs to give me an interview on the 11th instant, and I shall then endeavor to place before them, in a forcible manner, the great danger that will arise from any want of firm action on their part at this juncture.

I have the honor to be, very respectfully, your obedient servant,

TOWNSEND HARRIS,
Minister Resident.

Hon. William H. Seward,
Secretary of State, Washington.

Mr. Alcock to Mr. Harris.

Her Majesty's Legation,
Yedo, July 6, 1861.

Sir : Last night between eleven and twelve o'clock the British legation was suddenly attacked, and an entrance effected at several points simultaneously by armed bands of Japanese, said to be Loonins, and by others, Prince of Mito's men. Two of the members of the establishment, Mr. Oliphant and Mr. Morrison, were met in a passage and both wounded ; the first, I am sorry to say, very severely, when a momentary diverson was effected by a shot from Mr. Morrison's revolver, which appears to have taken effect. A few minutes later the same or another division of the assassins sought to effect an entrance to the apartments occupied by myself, by breaking through and hacking in pieces some glass doors opening into another suite, having mistaken their way. To this alone, under Providence, we probably owe our lives, for several minutes were thus lost to them ; at the end of which the Yaconins or Dainios guards appeared to have come to the spot, and the assailants were finally driven out of the house, after having penetrated into nearly every room except my own, leaving traces of their presence by slashing at all the beds and furniture. Marks of blood were found in various directions, and a prolonged conflict took place outside, in the avenue and approaches to the legation, with the officers and men on service.

Such a deed of atrocity, perpetrated in the capital of a government to which foreign representatives are accredited by the western powers, needs no comment. I only feel it a duty to communicate to my colleagues the facts for their guidance and information, and to acquaint them that, as a temporary measure, I have ordered up her Majesty's ship "Ringdove," and caused a guard of men to be landed. What measures it may be expedient to adopt for future security of this and the other legations in Yedo, and the maintenance of those international rights and immunities so grievously attacked, becomes a serious consideration, and one the pressing importance of which cannot well be overlooked. But on this part of the subject I shall be glad to enter into further communication with you and the rest of my colleagues, should you feel disposed to favor me with your views.

I have the honor to be, sir, your most obedient humble servant,

RUTHERFORD ALCOCK,
Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan.

Townsend Harris, Esq.,
Resident Minister of the United States in Japan.

Mr. T. Harris to the Ministers for Foreign Affairs of Japan.

No. 70.]

Legation of the United States in Japan,
Yedo, July 8, 1861.

I am informed by Mr. Alcock, the British envoy, that an attempt was made on the night of the 5th instant to assassinate him and the persons attached to the British legation in this city. I am further informed that the house was broken into at the same moment of time in three different places ;

and that, during the contest, two persons in her Britannic Majesty's service were wounded.

This makes the seventh attack on foreigners within the period of two years; and in five of the attempts murder was committed. Up to this day not one person has been punished for these atrocious crimes. You have frequently assured me that you were making constant efforts to arrest these criminals, but that you were unable to discover them.

In the present case evidence is in your possession to enable you to arrest the persons concerned in the last atrocious attempt at murder, for you have made a prisoner of one of the men, and you have a pocket-book found on the ground which contains a list of the names of fourteen of the party; and these two sources of evidence will enable you to arrest and bring to condign punishment the whole of the gang. I feel it my duty to say to you that, in my opinion, your failure to arrest and punish the perpetrators of previous criminal acts has encouraged the present horrible attempt to take the life of Mr. Alcock.

I have given you too many evidences of my friendship for you to doubt my good will; and as your friend, who earnestly wishes to see Japan peaceful, prosperous, and happy, I now say to you, that if you do not promptly arrest and punish the authors of this last deed of blood, that the most lamentable consequences to your country will inevitably ensue; for if you do not punish these men, it will show that you do not wish to do so. I urge you earnestly to consider this friendly and serious warning.

I propose to have an interview with you in a few days, at which time I will enter more largely into details than I can do in a letter.

Stated with respect and courtesy.

TOWNSEND HARRIS,
Minister Resident of the United States in Japan.

Their Excellencies Kudsi Yamato Nokami and Ando Fusima Nokami,
Ministers for Foreign Affairs, &c., &c., &c., Yedo.

Mr Harris to Mr. Alcock.

No. 71.]

Legation of the United States in Japan,
Yedo, July 8, 1861.

Sir: I have the honor to acknowledge the receipt of your letter of the 6th instant, giving me the particulars of an attack made the previous night, by a band of Japanese assassins, on her Britannic Majesty's legation, and informing me that Mr. Oliphant, secretary of her Britannic Majesty's legation, and Mr. Morrison, consul for Nagasaki, were wounded in the melee which ensued, and adding the gratifying intelligence that you had, providentially, escaped any bodily injury.

I cannot conceal from you the horror and indignation which the atrocious attempt on your life excites in my mind, exceeding, as it does, in the boldness of its design and in the extent of its intended slaughter, all previous essays of the kind.

In the nineteen months that followed the residence of the foreign representatives in this city, six distinct outrages were perpetrated on the persons of foreigners. Yet, up to this day, not one of the persons engaged in those criminal acts has been made to answer for his crime. The Japanese ministers have reiterated the assurance of their anxious desire to arrest and punish the offenders in question, but have declared their inability to identify them. In the present case no such plea can be set up, for two of your assailants are prisoners, and a pocket-book found on the ground near your legation contains a list of fourteen of the gang. With these two sources of information in their possession, there cannot be any difficulty in ascertaining the names of the whole band, and their consequent arrest and punishment.

Should this government fail in its duty in the present case, it will be almost conclusive that it is either unable or unwilling to give us that protection which the punishment of crime would secure by the repression of criminal designs, and it will then become a matter of serious consideration what line of conduct should be adopted to secure to us those rights which we have guaranteed to us by our solemn treaty stipulations.

I have addressed a letter to the Japanese ministers for foreign affairs in the sense of the foregoing, and I have pointedly shown them that any failure on their part at the present crisis will greatly endanger the peace of their country.

I propose to have an interview with the ministers in this behalf, when I intend to urge upon them the necessity that exists for their action in this matter.

In this connexion I beg to say that if you intend to have an interview with the ministers shortly, I will defer mine until after yours has taken place.

I renew to you my cordial congratulations on your truly providential escape from a daring and almost successful attempt on your life.

I have the honor to be, sir, your most obedient humble servant,

TOWNSEND HARRIS,

Minister resident of the United States in Japan.

RUTHERFORD ALCOCK, Esq., C. B.,

Her Britannic Majesty's Envoy Ext'y and Minister Plen'y in Yedo.

Mr. Alcock to Mr. Harris.

No. 37.]

HER MAJESTY'S LEGATION,
Yedo, July 8, 1861.

SIR: I have to thank you for the congratulations of escape from the assassins, conveyed in your letter of this date, and the expression of your views upon the present conjuncture, in which I am glad to say there is a general accordance with my own.

If there be any divergence, it is in the absence of all hope on my part that the Japanese government will behave otherwise on this than on every former occasion of the like nature. They have shown great supineness and indifference hitherto, and appear wholly unconscious of the gravity of the circumstances and the atrocious nature of the outrage offered to the flag.

I had proposed seeing the ministers to-morrow, but since the event of the 5th I have thought it better to wait an answer to a letter which I addressed them, urging them to give such full satisfaction as should relieve them of all charge of complicity or indifference.

I expect Admiral Hope here also in a few days, which may further induce me to postpone an interview. If you wish to see the ministers, therefore, I beg I may not be a cause of delay.

I have the honor to be, sir, your most obedient humble servant,

RUTHERFORD ALCOCK,

Her Britannic Majesty's Envoy Ext'y and Minister Plent'y in Japan.

TOWNSEND HARRIS, Esq., *&c., &c., &c.,*

United States Legation, Yedo.

Mr. Seward to Mr. Harris.

No. 23.]

Department of State,
Washington, October 21, 1861.

Sir: Your despatch of the 9th of July (No. 28) has been received.

The assaults committed upon the minister of Great Britain and the other members of that legation, in violation of express treaty, of the laws of nations, and of the principles of common humanity, have excited a deep concern on the part of the President.

Your prompt, earnest, and decided proceedings in aid of the just desire of her Britannic Majesty's minister to obtain adequate satisfaction for that outrage meet his emphatic approval. I have lost no time in assuring the British government directly of the willingness of the United States to co-operate with it in any judicious measure it may suggest to insure safety hereafter to diplomatic and consular representatives of the western powers in Japan, with due respect to the sovereignties in whose behalf their exposure to such grave perils is incurred.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Townsend Harris, Esq., *&c., &c., &c., Yedo.*

REPORT

OF

THE SECRETARY OF THE INTERIOR.

Department of the Interior, *November* 30, 1861.

Sir: The report of the operations of this department during the fiscal year ending June 30, 1861, will exhibit a diminished amount of business in some of the most important bureaus connected with the department. This is attributable mainly to the insurrection which has suddenly precipitated the country into a civil war.

GENERAL LAND OFFICE.

The decline of business has very sensibly affected the operations of the General Land Office. Official intercourse has been entirely suspended with all the southern States which contain any portion of the public lands, and consequently no sales have been made in any of those States.

In all the northern States in which any of the public lands are situated the war has almost entirely suspended sales. The demand for volunteers has called into the ranks of the army a large number of that portion of our people whose energy and enterprise in time of peace incline them to emigrate to the west and settle upon the public lands, thus laying the foundations of future prosperous communities and States. Besides, the ordinary channels of trade and commerce have been so obstructed by the war that the sources of income, from which the settlers upon the public lands have realized the means of purchasing, have been greatly diminished.

On the 30th September, 1861, there were 55,555,595.25 acres of the public lands which had been surveyed but not proclaimed for public sale. The lands surveyed and offered at public sale previous to that time, and then subject to private entry, amounted to 78,662,735.64 acres, making an aggregate of public lands surveyed and ready for sale of 134,218,330.89 acres.

Since the last annual report of this department no proclamation for a public sale of lands has been made, as the quantity already subject to private entry is more than sufficient to meet the wants of the country. During the fiscal year ending 30th June, 1861, and the first quarter of the current year, ending 30th September, 1861, 5,289,532.31 acres have been disposed of. Of this amount 1,021,493.77 acres have been certified to the States of Minnesota, Michigan, and Louisiana, under railroad grants made by Congress; 606,094.47 acres have been certified to States as swamp lands; 2,153.940 acres have been located with bounty land warrants, and 1,508,004.07 acres have been sold for cash, producing $925,299 42.

It will be seen from this statement that the public lands have ceased substantially for the present, at least, to be a source of revenue to the government. The liberal manner in which the acts of Congress, granting swamp and overflowed lands to the States, have been construed and executed, the grants of large quantities to aid in the construction of railroads, and the quantity required to locate bounty land warrants for military services, have combined to reduce the cash sales to an amount but little more than sufficient to meet the expenses of our land system. The net income from sales during the last fiscal year will hardly reach the sum of $200,000. During the last fiscal year there were certified to the States for railroad construction, under the several acts of Congress making grants for such purposes: To Minnesota, 308,871.90 acres; to Michigan, 636,061.42 acres; and to Louisiana, 76,560.45 acres. The whole amount certified to all the States, under such grants, is 9,998,497.77 acres.

The grants of swamp and overflowed lands to the States have absorbed a large amount of valuable lands, and have caused a heavy drain upon the treasury. The claims of the several States cover an aggregate of 57,895,577.40 acres.

The United States have also paid to the States, in cash, under the indemnity act of March 2, 1855, on account of lands claimed as swamp lands, and which were sold by the United States subsequent to the date of the grant, $276,126 50.

Certificates have been issued for location upon any of the public lands subject to entry, to indemnify the States for lands claimed as swamp lands, but which had been located by bounty land warrants after the date of the grant, amounting to 145,595.92 acres. Additional claims are pending, yet undecided, for cash, $142,435, and for lands, 301,429 acres.

The bounty land warrants and scrip issued under different acts of Congress, previous to September 30, 1861, embrace an aggregate of 71,717,172 acres of land. Of this amount there have been located: For revolutionary services, 8,200,612 acres; for services in the war with Great Britain, 4,850,120 acres; for Canadian volunteers, 72,750 acres; for services in the Mexican war and other services, under the acts of 1847, 1850, 1852, and 1855, in all 51,138,970 acres; leaving yet to be located on warrants and scrip, already issued, 7,454,720 acres.

Unless Congress shall authorize the issue of additional warrants, this drain upon the public lands will soon cease.

The propriety of issuing bounty land warrants to the volunteers who have been called into service to suppress the existing insurrection, is already a subject of discussion, and must be determined by Congress. A warrant for 160 acres to each volunteer engaged in the service would absorb over one hundred millions of acres, a much larger amount than has been issued under all previous laws. It is evident that the issue of such an amount of warrants would destroy all hope of deriving any revenue from the public lands, at least for many years. And while such a measure would deprive the government of all income from this source, it would afford but little benefit to the volunteers. These warrants are now sold in the market at about fifty cents per acre. An addition of the large amount necessary to supply the volunteers would necessarily reduce the price of them to a merely nominal sum.

The bounty of the government, dispensed to the volunteers in this form, would fail to realize to them the advantages intended. All the best lands would fall into the hands of speculators, who would be enabled to purchase them at a nominal price and sell them to settlers at full prices as fast as emigration to the west would require them for settlement. If additional compensation to the volunteers, beyond the amount now authorized by law, shall be deemed just and proper, it will be better both for the government and the volunteers to make such compensation by a direct appropriation of money, or of government securities. This would give them the full benefit of the appropriations made, while the government would, by keeping the lands until they shall be demanded for settlement, realize their full value.

The expense of surveying private land claims in the territory acquired from Mexico, based upon grants of the Mexican government, have heretofore been paid by the United States. These surveys have cost the government large sums. The cost of surveying one claim amounted to twenty-two hundred dollars; another cost the government fourteen hundred dollars. The aggregate cost of surveying them has taken from the treasury a large amount of the public funds. No valid reason exists, in my judgment, for taxing the government with the cost of these surveys. There is no obligation resting upon the United States to ascertain and define the boundaries of grants made by Mexico to individuals previous to the cession of the territory. The claimant realizes all the benefit and should be charged with the expenses of defining the boundary of his claim. The surveys should be made under the authority of the United States, but the cost of the survey should be paid by the claimants, and patents for the land should be withheld until the expenses of the survey are paid.

The valuable and extensive mineral lands owned by the government in California and New Mexico have hitherto produced no revenue. All who chose to do so have been permitted to work them without limitation. It is believed that no other government owning valuable mineral lands has ever refused to avail itself of the opportunity of deriving a revenue from the privilege of mining such lands. They are the property of the whole people, and it would be obviously just and proper to require those who reap the advantages of mining them to pay a reasonable amount as a consideration for the advantages enjoyed.

The territorial governments of Colorado, Dakotah, and Nevada have been successfully organized since the adjournment of the last Congress. The surveys of the public lands in those Territories have already been commenced, and the lands are now open for settlement. The productiveness of the soil and the mineral wealth of those Territories, with the advantages of legally organized governments, will doubtless invite a large immigration to them as soon as the termination of the war shall restore to civil employments that portion of our people now under arms.

Congress, by an act passed May 26, 1860, authorized the appointment by the President "of a suitable person or persons" who should, in conjunction with persons to be appointed on behalf of the State of California, "run and mark the boundary lines between the Territories of the United States and the State of California." Fifty-five thousand dollars was appropriated for the performance of the work. Sylvester Mowry was appointed a commissioner on the part of the United States, and the sum of $37,551 19 was placed at his disposal for the prosecution of the work.

Very soon after taking charge of the department, I ascertained that the whole sum which had been placed in the hands of the commissioner had been disposed of by him, and a large amount of drafts for additional sums had been drawn upon the department, while no progress had been made in the work beyond the fixing of one of three initial points, viz: the intersection of the 35th parallel of north latitude with the Colorado river. The whole appropriation had been squandered, while the work had been only commenced. Under these circumstances I deemed it to be my duty to arrest the creation of further claims against the government without authority of law, and accordingly directed the suspension of the work and a discontinuance of the services of the commissioner. It is believed that the whole work might have been completed for the sum appropriated by Congress; but while only a small part of the work has been accomplished, the claims presented amount to nearly $20,000 beyond the appropriation. It remains for Congress to determine whether further appropriations shall be made for the continuance of the work.

The running of the boundary lines between the Territories of the United States and the State of Texas, authorized by the act of Congress of June 5, 1858, has been completed in the field, and the office details will in a short time be finished. For this work $80,000 was appropriated. Of this sum $73,250 81 had been expended on the 30th September, 1861, leaving an unexpended balance of $6,749 19. This balance is estimated to be sufficient for the completion of the entire work.

For more detailed information in regard to the operations of the General Land Office, reference is made to the able and elaborate report of the Commissioner.

INDIAN AFFAIRS.

Our Indian affairs are in a very unsettled and unsatisfactory condition.

The spirit of rebellion against the authority of the government, which has precipitated a large number of States into open revolt, has been instilled into a portion of the Indian tribes by emissaries from the insurrectionary States.

The large tribes of Cherokees, Chickasaws, and Choctaws, situated in the southern superintendency, have suspended all intercourse with the agents of the United States.

The superintendent and agents appointed since the 4th of March last have been unable to reach their posts or to hold any intercourse with the tribes under their charge. The superintendent and some, if not all, of the agents of the southern superintendency, who were in office on the 4th of March, have assumed an attitude of revolt to the United States, and have instigated the Indians to acts of hostility. Some of these, who lately held their offices under the United States, now claim to exercise the same authority by virtue of commissions from the pretended confederate government.

Although the Indian Office has not been able to procure definite information of the condition of affairs, and of the extent to which the Indians have assumed a hostile attitude, enough has been ascertained to leave no room for doubt that the influences which have been exerted upon the Indians have been sufficient to induce a portion of them to renounce the authority of the United States and to acknowledge that of the rebel government.

It has been currently reported through the press that a portion of them have been organized as a military force, and are in arms with the rebels; but the department has no official information confirming these rumors.

The hostile attitude assumed by portions of the tribes referred to, has resulted from their fears, produced by violence and threats of emissaries sent among them, and the withdrawal from their vicinity of the troops of the United States, whose presence would have afforded a guarantee of protection. It is unfortunate that the War Department has been unable to send to that region such a body of troops as would be adequate to the protection of those tribes, and revive their confidence in the ability as well as the will of the United States to comply with their treaty stipulations. Cut off from all intercourse with loyal citizens; surrounded by emissaries from the rebels, who represented that the government of the United States was destroyed, and who promised that the rebel government would assume the obligations of the United States and pay their annuities; assailed by threats of violence, and seeing around them no evidence of the power of the United States to protect them, it is not surprising that their loyalty was unable to resist such influences. Many white men of far greater intelligence have joined the insurrectionists against their own convictions of right, under much less pressure.

We have reason to believe that as soon as the United States shall re-establish their authority in the Indian country, and shall send there a sufficient force for the protection of the tribes, they will renounce all connexion with the rebel government and resume their former relations with the United States.

The payment of their annuities has been suspended. The Commissioner of Indian Affairs expresses the opinion, in which I concur, that Congress should make the usual appropriations to comply with the treaty stipulations of the United States, that the means may exist to pay them, if circumstances and the condition of the tribes shall hereafter render it proper and expedient to do so.

The tribes upon the Pacific slope of the Rocky mountains have manifested a turbulent spirit, but have committed no acts of violence. With vigilance on the part of the agents it is hoped they may be restrained from depredations upon the white settlers, and be gradually brought under the control of the laws of the United States.

Much trouble has been experienced in New Mexico from depredations committed by some of the tribes in that Territory. The withdrawal of the troops of the United States has encouraged them to acts of violence, while the active interference of disloyal persons from Texas has induced them to disregard the laws and authority of the government. The presence of a military force in that Territory is indispensable to preserve the peace and cause the Indians to respect the laws.

The tribes in Kansas and Nebraska, and in the States of the northwest, are gradually progressing in the arts of civilization. The plan of allotting portions of their reservations to the individual members of the tribes has been found by experience to result beneficially. Many of them have improved their lands and become quite proficient as farmers. A continuance of this policy, by familiarizing them with the habits of agricultural life, will gradually lead them to depend upon the cultivation of the soil for subsistence.

The report of the Commissioner of Indian Affairs, which is herewith submitted, furnishes full information in regard to the several tribes, and suggests in detail such matters as require the action of Congress.

The practice of licensing traders to traffic with the Indians, has been productive of mischievous results. The money received by them in payment of their annuities, generally passes immediately into the hands of the traders. The Indians purchase goods of the traders upon a credit, to be paid for upon the receipt of their next annuity. When the payment is due, the debts of the Indians are usually sufficient to absorb the whole amount. But, if anything is left after the payment of their debts, it is used for new purchases from the traders. The result of this system of trade is that the Indians pay for the goods they purchase, much more than they are worth. But this is not the only evil resulting from it. When a treaty is made, a large array of debts is presented, and provision usually made in the treaty for their payment. Witnesses are produced who establish the debts by evidence, which cannot be contradicted by any available proof, sufficient to absorb most of the proceeds of their lands. They are left to depend upon their annuities from the government for subsistence, and these find their way into the hands of the traders, while the Indians receive from them goods at a profit of from one to three or four hundred per cent.

It is apparent to all acquainted with Indians, that they are incompetent to manage their own business, or to protect their rights in their intercourse with the white race. It is the duty of the government to shield them from the arts of designing men, and to see that they realize the full benefit of the annuities to which they are entitled. This can only be accomplished by breaking up the whole system of Indian trading. The power granted to agents to license persons to trade with the Indians should be revoked. All contracts made with them, and all obligations for goods or other property sold to them, should be declared utterly void. All future treaties should provide for the payment of their annuities in goods and agricultural implements, at the lowest prices at which they can be procured by the government. The department should be authorized to procure the consent of the tribes, with which treaties exist providing for the payment of cash annuities, that it shall furnish them with such goods and agricultural implements as their wants require, at the wholesale prices of such articles in the best markets, in lieu of the cash annuities provided for in the treaties.

By such a change the Indians would avoid the payment of profits which are now paid to the traders, and would realize a much larger amount in goods for their annuities than they now receive.

PATENT OFFICE.

No branch of the public service connected with this department has been so much affected by the insurrection of the southern States as that of the Patent Office.

The receipts of the office from January 1 to September 30, 1861, were $102,808 18; and the expenditures were $185,594 05, showing an excess of expenditures over receipts of $82,785 87.

During the corresponding period of the last year the receipts were $197,348 40, being $94,840 22 more than the receipts for the same part of this year. During the same period 3,514 applications for patents and 519 caveats have been filed, 2,581 patents have been issued, and 15 patents have been extended.

To meet this deficiency in the income of the office, the commissioner, with the concurrence of the department, has reduced the clerical and examining force by the discharge of thirty of the employés, and reduced the grade of the remainder in order to lessen their compensation. By this reduction it is believed by the commissioner that the expenditures will be brought within the receipts.

The expenses of the office have been increased during the present year by the printing of the drawings and specifications authorized by the 14th section of the act of March 2, 1861. The Commissioner contracted for the printing in conformity with the law, and the work was executed in a satisfactory manner until the 1st of November, when, in consequence of the decline in the receipts of the office, it was discontinued.

The printing of the drawings and specifications of patents, in the manner in which it has been done under the law of March last, would unquestionably be of great service to the office, as well as to all interested in its business, and should, if possible, be continued. Although the expenses of the Patent Office have been increased by this printing, a saving of a larger amount has been effected to the treasury. The mechanical reports of the Patent Office have heretofore been printed at the expense of the government. These reports consist of extracts from the specifications of the patents issued, giving a brief and general description of the improvements or inventions for which the patents were issued. They possess no interest for the general reader, while they are too brief to be of service to mechanics or inventors. The plates for the Mechanical Report of 1860 cost the government $47,398 21—a sum greater than the entire cost of printing provided for by the law of March last. The cost of paper, printing, and binding was probably as much more, while the work was without practical value. The printing of the drawings and specifications, as provided for by the law of March last, will render unnecessary the printing the mechanical reports, and save the expense heretofore incurred for their publication.

Several amendments to the law of March last are proposed by the Commissioner of Patents, which would doubtless render it more effective, and they are recommended to the favorable consideration of Congress.

The law regulating copy-rights should be amended to effect the objects contemplated by Congress.

The act of February 3, 1851, authorizes the clerks of the United States district courts to grant copy-rights, and requires the author to deposit a copy of his work with the clerk. The clerks are required to send to the Department of the Interior all such copies deposited in their offices. This duty is very imperfectly performed. Probably not more than half the books, maps, charts, and musical compositions which are copy-righted are deposited in this department, as required by law.

The object of collecting in one library copies of all the copy-righted literary productions of the country is thus defeated. To secure this object an amendment of the law is recommended which shall give the sole power of granting copy-rights to the Commissioner of Patents, and require from every applicant the payment of a fee of one dollar and a deposit in the Patent Office of a copy of the work to be copy-righted.

PENSION OFFICE.

The report of the Commissioner of Pensions furnishes, in detail, the operations of this bureau during the past year. The number of pensions has diminished, during the year, five hundred and seventy-five, and the amount required to pay them was $43,246 87 less than the previous year.

The whole number of pensioners, of all classes, on the rolls on the 30th of June, 1861, was 10,709, requiring for their payment an aggregate of $957,772 08.

They were classified as follows: 4,725 invalid pensioners, receiving $425,256 02; 63 revolutionary pensioners, receiving $3,690 85; 2,728 widows of revolutionary soldiers, receiving $212,548 36; 2,236 widows and orphans, half-pay, receiving $178,672; 957 navy pensioners, receiving $137,604 85.

The casualties of the conflict in which the government is now engaged, will increase the list of pensioners very largely. The amount of the increase cannot be estimated, as it will depend upon the duration of the war. The large amount of business which will necessarily be thrown upon the office from this cause will render an increase of the clerical force employed indispensable.

The Commissioner of Pensions, with the concurrence of the department, has construed the pension laws now in force as authorizing the granting of pensions to invalids and the widows and children of deceased soldiers who have been killed or wounded in the existing insurrection. If this construction of the laws should be deemed improper, the corrective is with Congress.

It has been ascertained that many of those who have been placed upon the pension rolls in the insurrectionary States have attached themselves to the rebel cause, and have taken up arms against the government. I have deemed it my duty in all such cases to direct a suspension of the payment of the pensions awarded to them. I have also directed a suspension of payment to all pensioners in any of the States who have in any manner encouraged the rebels, or manifested a sympathy with their cause.

It is respectfully suggested that Congress should authorize this department to cause the names of all such persons to be stricken from the pension rolls.

EIGHTH CENSUS.

The returns of the Eighth Census are being condensed for publication, with all the expedition practicable in a work of such magnitude and varied and comprehensive details.

The report which the Superintendent of that work will be prepared to make during the present Congress, will confirm the general belief, that no previous period of our history has been distinguished by greater prosperity or evidences of more substantial progress in all the material interests effecting the welfare and happiness of a people.

In this connexion I feel constrained to recommend the establishment of a Bureau of Agriculture and Statistics, the need whereof is not only realized by the heads of department, but is felt by every intelligent legislator.

The maintenance of such a bureau, on a respectable footing, by a different arrangement of offices which at present exist on a basis too contracted for extensive usefulness, would be attended with no expense to the government additional to that incident to the present organization of the departments, while the advantages gained to the public service would be incalculable. One of the objects contemplated by Congress in the appropriations for the promotion of agriculture was the "collection of agricultural statistics." Correct reports from every portion of the country exhibiting the peculiarities of the soils and their adaptation to the various crops, with the character and extent of their annual productions, would constitute a fund of information of great practical value. The appropriations heretofore made by Congress have not been sufficient to accomplish this object, and at the same time provide for the distribution of seeds and the propagation of new varieties of plants to the extent which the public expectation appeared to demand.

Annual reports made under the direction of such a bureau, setting forth the condition of our agriculture, manufactures, and commerce, with well digested statements relative to similar facts in foreign countries, which the present rapid intercommunication enables us to obtain often in advance of their publication abroad, would prove the most valuable repertories of interesting and important information, the absence of which often occasions incalculable loss to the material interests of the country. The vigilance of such a bureau would supply timely warning of the failure of crops abroad or at home, and lead to the judicious investment of capital and employment of labor in agriculture and manufactures.

While we expend vast sums for experiments in gunnery—the promotion of science—in illustrating the physical features of unpeopled territory at home and regions beyond the seas, and publish costly volumes of undigested correspondence relating to foreign trade, it is a source of pain to every statesman and political economist to reflect that it is only once in ten years that the country is supplied with reliable returns respecting the value of our agriculture and manufactures, while altogether ignorant of the extent of our internal commerce and possess no means of ascertaining its importance.

All enlightened foreign governments and several of the States sustain statistical bureaus, while the United States, with a population second to no other in intelligence, and with productions and resources the most varied, have yet to institute an agency which would prove an invaluable guardian of our most material interests. The want of such a bureau has long been felt and has been frequently brought to the notice of Congress, but at no period has the necessity been so universally recognized as at the present.

Upon the Agricultural and Statistical Bureau would naturally devolve the charge of the census, for which timely preparation would be made, and its administration conducted with improved accuracy and ease. In fact the execution of that work collects a mass of valuable details, and reveals innumerable and reliable sources of information of deep interest, heretofore lost to the country, which a permanent bureau would be able to develope to advantage.

The extent to which the documents of that office have reached, and the frequent reference made to them for public and private purposes, make it indispensable to maintain a permanent clerical force to have them in charge. Confident that such a bureau will assert its claim to public preservation, and by its utility prove the wisdom of he measure, I recommend its immediate formation.

AFRICAN SLAVE TRADE.

The President, by an order dated the 2d of May last, devolved upon this department the execution of the act of 3d March, 1819, and other laws enacted for the suppression of the African slave trade.

The subject was immediately taken in hand, under a deep sense of our obligation as a nation, to put an end, if possible, to this odious traffic, and with a full conviction that the power of the government, in the hands of competent, honest, and faithful officers, was adequate to the purpose. Among other things, I caused the marshals of the loyal Atlantic States to assemble at New York for consultation, in order to insure greater concert of action. They were thereby afforded an opportunity of inspecting vessels fully equipped for the African slave trade, and of seeing the arts and devices employed to disguise and conceal the real objects of their voyage, thus enabling them to detect and prevent the clearance of vessels designed for this trade. It is gratifying to know that unprecedented success has crowned the efforts of the past few months. Five vessels have been seized, tried, and condemned by the courts. One slaver has been taken on the coast of Africa with about nine hundred negroes on board, who were conveyed to the republic of Liberia. One person has been convicted at New York as the captain of a slaver, having on board eight hundred captives, and two others, (mates of a different vessel,) and another one at Boston for fitting out a vessel for the slave trade. In the first named case the penalty is death; in the others it is fine and imprisonment. Hitherto convictions under the laws prohibiting the African slave trade have been very rare.

This is probably the largest number ever obtained, and certainly the only ones for many years. It is believed that the first mentioned case is the only one involving capital punishment in which a conviction has been effected.

The full execution of the law in these instances will no doubt have a most salutary influence in deterring others from the commission of like offences.

A number of other indictments have been found which are yet to be tried.

Much credit is due to the United States attorneys and marshals at New York and Boston for the vigilance and zeal evinced by them, and I avail myself of the first occasion to make them this public acknowledgement.

Within a little more than a year the government of the United States, under contracts made with the government of Liberia, through the agency of the American Colonization Society, have taken into that republic four thousand five hundred Africans, recaptured on the high seas by vessels of our navy. They are supplied with food, clothing, and shelter, medicines and medical attendance, for one year from the date of landing, and are thus brought within the civilizing and christianizing influences of a government founded and administered by intelligent and right-minded persons of their own race.

They are under the special charge and supervision of an agent of the United States, the Rev. John Seys, who has been a devoted missionary in Africa for many years. His report, when received, will no doubt afford abundant evidence of the wisdom and philanthropy of the policy adopted by the United States in regard to these unhappy victims of a cruel and relentless cupidity, whose misfortunes have thrown them upon the fostering care and protection of the American people.

Great Britain and the United States have engaged, by the treaty dated at Washington the 9th of August, 1842, that each shall prepare, equip, and maintain in service on the coast of Africa a sufficient and adequate squadron or naval force of vessels of suitable numbers and descriptions, to carry in all not less than eighty guns, to enforce, separately and respectively, the laws, rights, and obligations of each of the two countries for the suppression of the slave trade.

It seems to be the opinion of those having most experience on the subject, that two or three fast steam vessels-of-war stationed on the coast of Africa would be able (in consequence of the light winds that usually prevail there and their capacity to go in any direction) to more effectually accomplish the object than a much larger number of sailing vessels. Vessels are always selected for the slave trade with special reference to their sailing qualities; and it would probably be wise to seek a modification of the treaty of 1842, in order to admit of some such change in the character of the vessels employed.

But, after all, while we must continue to watch the coast of Africa, the most economical and effectual mode of preventing our citizens from engaging in the slave trade is by preventing the fitting out of vessels in our own waters for that purpose, and the plans now in operation will therefore continue to be vigorously prosecuted.

It is believed that the unexpended balances of appropriations for the suppression of the slave trade will be sufficient to meet the requirements of the service during the next fiscal year, and no further appropriation is asked; but that fact will render it necessary to remove the limitation in the appropriation of March 2, 1861, as to the compensation that may be allowed to marshals and others who may be employed. The limitation of ten thousand dollars was confined to the operations of one year, and although the whole amount will not be required for such services during the current fiscal year, it will not, probably, be sufficient to cover the necessary expenditures of that character for two years.

JUDICIARY.

The expenditures from the judiciary fund, during the fiscal year ending June 30, 1861, were $727,000 61. This includes the expenses of the courts, jurors, and witness' fees, rent and repairs of court-houses, and all other expenses attendant upon the administration of the laws of the federal judiciary, except the salaries of the judges, district attorneys, and marshals.

The suspension of the courts in several of the southern States will diminish the expenses of the judiciary to that extent; but what may be gained from this cause will be more than counterbalanced by extraordinary expenses in the northern States, occasioned by the insurrection, chargeable to the judiciary fund.

The annual rent of rooms occupied by the federal courts constitutes a large item of the expenses. As a matter of economy, as well as of convenience to all connected with the courts, it is desirable that the government should own the buildings required for that purpose.

The United States now own the buildings in which the courts are held at Portland and Bangor, in Maine; at Windsor and Rutland, in Vermont; at Boston, in Massachusetts; at Providence, in Rhode Island; at Buffalo, in New York; at Pittsburg, in Pennsylvania; at Wilmington, in Delaware; at Richmond, in Virginia; at Wilmington, in North Carolina; at Savannah, in Georgia; at Pensacola and St. Augustine, in Florida; at Mobile, in Alabama; at Pontotoc, in Mississippi; at St. Louis, in Missouri; at Chicago, in Illinois; at Cleveland and Cincinnati, in Ohio; at Indianapolis, in Indiana; at Detroit, in Michigan, and at Santa Fé, in New Mexico. Buildings to be so occupied are in process of erection by the government at Key West, in Florida; at Galveston, in Texas, and at Madison, in Wisconsin.

Much inconvenience is daily experienced for the want of a suitable court-house, owned by the government, in the city of New York. The building formerly known as Burton's Theatre has been occupied by the courts since 1858, at a rent of $16,000 per annum. The government has already expended over $30,000 in altering the building to adapt it to the wants of the courts, and in necessary repairs. To render it convenient and comfortable will require additional expenditures, which may be lost by the sale of the property. The lease contains a clause giving to the government the option of purchasing the property within three years, at the price of $215,000.

The time has elapsed, but it is understood that it may yet be purchased, within a reasonable time, for that price.

Mr. Burton has deceased since the date of the lease, and the settlement of his estate will probably require a sale of this property. If it should be sold to persons who would require the removal of the courts, the government would be subjected to great inconvenience and expense. In my judgment the best interests of the government require that the property should be purchased, and I recommend an appropriation for that purpose.

PUBLIC BUILDINGS.

The report of the Commissioner of Public Buildings exhibits the condition of the several interests confided to his charge.

The occupation of the Capitol during the past summer, by portions of the volunteer forces, necessarily caused some injury, which will require more than the ordinary appropriations for repairs.

The old portion of the building needs outside painting, as well to give uniformity of appearance to the whole, as to protect it from decay.

A portion of the basement of the building is now used as a bakery for the army. Although this may be submitted to for a time as a military necessity, it ought not to be permitted any longer than absolute necessity will require. Immediate provision should be made to transfer this useful branch of industry to some other locality, where it may be conducted without injury to the national Capitol, or annoyance to its occupants.

The subject of the extension of the Capitol grounds has heretofore occupied the attention of Congress. The private property necessary to make the proposed extension, has been appraised in conformity with the directions of an act of Congress, at the sum of $417,594 90.

The propriety of making a purchase involving so large an expenditure, at a time when the demands upon the Treasury for the support of the war, have rendered a resort to direct taxation necessary, must be determined by Congress. The Commissioner zealously advocates an early appropriation for that purpose, for reasons which will be found upon reference to his report.

The improvements and repairs which have been made upon the several public buildings and other works during the past year, will be ascertained on reference to the Commissioner's report.

The Washington Infirmary, located upon Judiciary square, was destroyed by fire on the morning of the 3d instant. The fire is supposed to have originated from accidental causes, and when first discovered could have been readily extinguished by an efficient fire department.

Congress by an act approved June 15, 1844, directed the Commissioner of Public Buildings to allow the medical faculty of the Columbian College to occupy this building, (which had before been used as an insane hospital,) "for the purposes of an infirmary for medical instruction and for scientific purposes, on condition that they shall give satisfactory security to keep the said building in repair, and return it, with the grounds, to the government, in as good condition as they are now in, whenever required to do so." In 1853, Congress appropriated twenty thousand dollars "to aid the directors of Washington Infirmary to enlarge their accommodations for the benefit of sick transient paupers."

This sum was expended in enlarging and improving the building which has since been under the control of the medical faculty, under the authority conferred by the law of 1844.

During the last summer extensive hospital accommodations having become necessary from the large accumulation of troops on the Potomac an order was made by this department to place the building under the control of the War Department, to be used as an army hospital. It was accordingly occupied for that purpose up to the time of its destruction. I do not consider that any public necessity requires a reconstruction of the building.

Judiciary square, upon which it is situated, was designed for other purposes, and if the erection of an infirmary should be considered necessary, a different location should be sought. I recommend that provision be made for the removal of the walls of the building yet standing.

A street railroad through Pennsylvania avenue is a necessity which should no longer be disregarded. The great advantages of this mode of communication upon important city thoroughfares, have been so fully demonstrated in all the large cities of the United States, that no argument upon the subject will be required.

The repairs of Pennsylvania avenue have annually cost the government large sums, and the heavy transportation for army purposes which has passed over it this season will render necessary larger appropriations than those usually made.

It is probable that those who are asking from the government the privilege of constructing and using a railroad from the Navy Yard, through Pennsylvania avenue, to Georgetown, would, as a consideration for the privilege, agree to keep the avenue, at least between the Capitol and President's square, in good repair. If such an arrangement can be made, the government would avoid a large annual expense, while the citizens and those who visit the District would enjoy the great advantages of this most important improvement.

A new jail in the city of Washington is greatly needed.

The old jail is now crowded with more than double the number of persons of different colors and sexes than can be kept there with any regard to cleanliness or health. It is unfit for the purposes of a jail, and wholly inadequate to the demands made upon it. An appropriation for the erection of a new jail should be made by Congress.

PUBLIC PRINTING.

The change in the manner of executing the public printing, adopted by the last Congress, has been eminently successful. Under the direction of the present efficient superintendent the work has been performed with more despatch and at less cost to the government than at any previous time.

The system of executing the public printing in an office owned and controlled by the government was commenced on the 4th of March last. All the public printing and binding has not, since that time, been executed in the government office, for the reason that unexpired contracts have controlled a part of it.

The report of the Superintendent will show the cost to the government of the work already executed, and what would have been its cost under the prices established by the law of 1852.

It will be seen that there was a saving of $21,127 95 on so much of the printing of the 36th Congress as was done in his office, and $3,628 66 on that of the first session of the 37th Congress.

On the printing for the executive departments the saving amounts to 50 per cent.

Upon the binding for the executive departments there has been a saving of about $1,000 per month; but the binding for the 36th Congress having been done under a contract existing at the time the Government Printing Office was established, there has been no opportunity to show what might have been saved on that work.

The expenditures for paper, printing, binding, engraving, and lithographing have heretofore constituted a very large item in the expenses of the government. The orders of the 34th Congress for these objects involved an expenditure of $1,586,407 53. Of this amount $390,679 72 was paid for printing, $317,927 92 for engraving and lithographing, and $364,999 84 for binding. To this should be added the cost of the Daily and Congressional Globe for the same Congress, which was $257,904 28, and the printing for the executive departments for the same time, $152,883 04, making the whole expenditures for the two years $1,996,194 85. The cost of engraving and lithographing, from August, 1852, to December, 1858, was $892,139 59. This work can be done much more economically under the direction of the Superintendent of Public Printing than by the present contract system. The Superintendent can as well control and direct this part of the work as the printing, and without additional expense. At least fifty per cent of the present cost of engraving and lithographing can be saved by having it executed in the Government Printing Office.

HOSPITAL FOR THE INSANE.

The accompanying reports of the board of visitors and superintendent of the Government Hospital for the Insane, furnish full information of the progress and condition of this valuable and beneficient institution. Too much praise cannot be awarded to Dr. C. H. Nichols, the superintendent, for the ability and fidelity with which he has executed the important and delicate trusts confided to his charge.

The appropriations made by Congress for the erection of the buildings and the improvement of the grounds, have been expended with judgment and economy.

The buildings are spacious, well ventilated and warmed; admirably arranged with every convenience necessary for the health and comfort of patients, and in every respect are well adapted to the purposes for which they were designed. The grounds are in a fine state of improvement, and with but a small additional appropriation the whole may be completed and rendered an object of just pride to the country.

Since the institution was opened, in 1855, 439 persons have been treated. The number of patients in the house on the 30th June, 1861, was 180, classified as follows: From the army, 25; from the navy, 11; from the revenue cutter service, 1; from civil life, males 71 and females 72.

Of the inmates during the last fiscal year, 19 died, 63 were discharged, of whom 15 had so far improved that they could be safely removed, and 48 were completely recovered. The large proportion of patients who were discharged as recovered, (which was fifty per centum of the admissions,) furnishes ample evidence of the skill and care of the treatment observed.

The existing insurrection has thrown upon this institution largely increased burdens and responsibilities. During the first quarter of the current fiscal year, the admissions from the army and navy have been equal to four-fifths of the whole number of all classes admitted during the previous year. But in addition to the duties imposed upon him by law, Dr. Nichols has generously, with the approbation of this department, appropriated a portion of the building, with the services of himself and his assistant, for the accommodation of the sick and wounded of the Potomac and Chesapeake fleets.

As many as fifty persons of this class have been under treatment at one time. These extraordinary demands upon the resources of the institution will furnish ample reason for the request for slightly increased appropriations by Congress.

COLUMBIAN INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND.

This institution was organized in 1857. The number of pupils at the close of the first year was but seventeen. At the close of the last fiscal year the number was thirty-five. The whole resources of the institution amount to but $8,126 19, of which $6,425 94 was appropriated by Congress. With such limited means but small results could be expected; but from the great liberality of the Hon. Amos Kendall, president of the board of directors, and his watchful care of the interests of the institution, much good has been accomplished.

The means of the institution have not been sufficient for the instruction of the pupils in horticulture, agriculture, and the mechanic arts. Instruction in these branches of industry is important, to prepare them to earn their own subsistence.

Additional appropriations to furnish the institution with the means to supply this deficiency in the instruction of the pupils are asked for by the board of directors, and are recommended to the favorable consideration of Congress.

The buildings now occupied do not afford the necessary space and accommodations for the number of pupils who now occupy them. An appropriation is asked for by the board of directors to make some additions which are greatly needed, and which I hope will be favorably considered.

The reports of the president of the board of directors and of the superintendent, are referred to for detailed information.

METROPOLITAN POLICE.

The metropolitan police, authorized by an act of Congress of August 6, 1861, has been organized in accordance with the provisions of the law.

The report of the board is herewith presented. They recommend several amendments to the law, and an increase of compensation, with an additional number of officers. The organization has been so recently effected that time has not been given to fairly test the sufficiency of the force employed, or the wisdom of the several provisions of the law. The views of the board are fully explained in their report, and the whole subject should be referred to Congress for such action as they may deem proper.

PENITENTIARY OF THE DISTRICT.

The number of convicts confined in the penitentiary on the 30th September, 1861, was 158, classified as follows: white males, 96; colored males, 54; white females, 2; colored females, 6.

One hundred and nine were natives of the United States, and forty-nine were of foreign birth.

Seventy-three convicts were received during the past year, and seventy-four discharged—sixty-one by the expiration of the term of sentence, thirteen by pardon of the President.

Ninety-six of the convicts are employed in the manufacture of shoes, and 25 in that of brooms. The others are employed in various branches of labor necessary to provide for the wants of the convicts and to keep the buildings in a proper condition of repair and cleanliness.

The expenses of the penitentiary during the fiscal year ending June 30, 1861, were $32,741 26. Of this sum $9,987 46 was received from sales of the products of the labor of the convicts; showing an excess of expenditures over receipts of $22,753 77.

It is evident that a considerable portion of this expense has been occasioned by improper management of the institution. This is shown by the great difference in the amount of the expenditures made by the present warden and those made by his predecessor during a corresponding period. The present warden entered upon his duties on the 12th April, 1861. From October 1, 1860, to that time—a period of six and a half months—there was expended for clothing, provisions, fuel and lights, and hospital stores, $13,118 50; for the same articles there was expended, from April 12 to October 1, 1861—a period of five and a half months—$4,566 70.

Under the administration of the present warden the labor of the convicts has been made productive. In the shoe manufactory, from April 12 to September 30, the receipts were $1,963 01 more than the cost of material and all other expenses, except the labor of the convicts. In the broom manufactory, for the same period, the receipts exceeded the expenditures $710 78.

The income from the labor of the convicts can, doubtless, under prudent management, be largely increased; but whether the institution can be made self-sustaining is a matter of much doubt.

The board of inspectors, who are gentlemen of ability and experience, think there are general causes for the inability of the institution to sustain itself, which are not likely to be obviated. Their report explains in detail their views.

The penitentiary buildings are very badly adapted to the purposes for which they were constructed. Circumscribed in extent, inconveniently arranged, and illy ventillated, they are much inferior to the prisons of most of the States. It can hardly be expected, however, that Congress, in the present condition of the country, will authorize the erection of new buildings; but while the old ones may be used for several years, and until the condition of the treasury will better justify the expenditure necessary to erect new ones, the health and comfort of the prisoners, and the convenience of all connected with the institution, require that an expenditure for improvements should be made, at least sufficient to introduce gas and the Potomac water. This can be done at a comparatively small cost, and an appropriation by Congress for that purpose is earnestly recommended.

I desire, in conclusion, to commend to your favorable notice the fidelity and zeal with which the various officers of the department have discharged the public trusts committed to them. Their several reports herewith show the extent of their labors, and exhibit a highly satisfactory condition of the business of the different branches of the department.

I have the honor to be, very respectfully, your obedient servant,

CALEB B. SMITH,
Secretary of the Interior.

To the PRESIDENT.

REPORT

OF

THE COMMISSIONER OF THE GENERAL LAND OFFICE.

GENERAL LAND OFFICE, *November* 30, 1861.

SIR: In accordance with the resolution of the 28th of February, 1855, of the Senate of the United States, the following is submitted as an abstract of the annual report from this office for 1861. The report shows—

1. Quantity of land surveyed for the year ending 30th June, 1861; the quarter ending 30th September, 1861; the quantity surveyed prior thereto, and yet unoffered, with the aggregate quantity surveyed and unoffered on 30th September, 1861.
2. The aggregate, at that date, subject to private entry; with,
3. Aggregate of surveyed lands offered and unoffered on 30th September, 1861.
4. Cash sales of bounty lands, swamps, and railroads.
5. Comment on result.
6. Surveys in new Territories of Dakota, Colorado, Nevada, California, Oregon, Washington, New Mexico, Utah, Kansas, Nebraska, Minnesota, Missouri, Illinois, Louisiana, and Florida.
7. Foreign titles.
8. Pre-emptions, communicating the principle that would govern where pre-emptors enter the military of the United States.
9. Graduation with the ruling in regard to this class of purchasers who engage in the war for the Union.
10. Military bounty land claims—revolutionary, war of 1812 with Great Britain, war of 1847 with Mexico, and general bounty land claims under laws of 1850, 1852, 1855.
11. Swamp grants.
12. Railroad approvals.
13. Mineral interests of the United States in the public domain.
14. Eastern boundary of California.
15. Boundary between the State of Oregon and Territory of Washington.
16. Boundary between the Territories of the United States and Texas.
17. Reference to general administrative details.

With great respect, your obedient servant,

J. M. EDMUNDS, *Commissioner.*

Hon. CALEB B. SMITH,
Secretary of the Interior.

GENERAL LAND OFFICE, *November* 30, 1861.

SIR: During the year ending 30th June, 1861, there have been returned to

this office as surveyed	7,972,576.70	acres.
And for the quarter ending September 30, 1861, an additional area of	919,548.55	"
Making an aggregate of acres returned surveyed since June 30, 1860, and not yet offered	8,892,125.25	"

Brought forward	8,892,125.25	acres.
To this may be added lands surveyed prior to July 1, 1860, and not yet offered, the quantity of	46,663,470.00	"
Making an aggregate area of surveyed unoffered on hand September 30, 1861, liable to proclamation, and subject to pre-emption priorto the actual offering thereof at public sale.	55,555,595.25	"
To this may be added *surveyed* lands, heretofore offered in different land States and Territories, which were liable to "private sale" and also to pre-emption on September 30, 1861, being in the aggregate	78,662,735.64	"
Making a total *surveyed, unsold, offered,* and unoffered, on September 30, 1861, of	134,218,330.89	"

Since last annual report no new proclamation has been issued for the sale of public lands. There was, however, an offering in June, 1861, in California, under the proclamation of October 22, 1860, for the sale of 3,685,287 acres; the law of 1853 requiring six months' public notice to be given in the State of the time and place of sale. Besides this, there has been a restoration to private sale in January last of 53,000 acres in Wisconsin, being public lands on the line of the Fox and Wisconsin, Iowa improvement grant of 1846.

In the year ending June 30, 1861, there were disposed of, for cash		1,465,603.57	acres.
For	$884,887 03		
Located with bounty land warrants		2,017,440	"
Certified under railroad grants to Minnesota, Michigan, and Louisiana		1,021,493	"
Approved and certified in same year as swamp lands		599,125.10	"
Making an aggregate disposed of during the year ending ending June 30, 1861		5,103,662.44	"
For the quarter ending September 30, 1861, there were sold (part estimate) for cash		42,400.50	"
For	40,412 39		
Located by bounty land warrants, (part estimate)		136,500	"
Approved in same quarter to States as swamp lands		6,969 37	"
Total quantity disposed of for the five quarters ending September 30, 1861		5,289,532.31	"
Aggregate cash receipts during that period being	925,299 42		

The operations of the land system in the disposal of the public lands have been checked and depressed by the political difficulties of the country, growing out of the hostile attitude assumed towards the United States by the authorities controlling in the States in revolt against the federal authority. Notwithstanding these causes, and the necessary withdrawal for military service of a large number of our citizens from agricultural employment, the general disturbance of trade, and the exciting causes affecting the social system, the energy of our people and vigor of our institutions appear in this connexion in the fact that, unaided by public sales of fresh lands, actual settlements have increased the greater portion, it is believed, of over three millions and a half of acres, which have been sold for cash, or located by warrants, being for actual settlement; adding, by estimate, forty thousand new farms of eighty acres to the wealth of the republic.

NEW TERRITORIES.—SURVEYS.

By three several acts passed in 1861, during the second session of the 36th Congress, provision was made for the organization of three new Territories, and the extension to them of the United States surveying system, these Territories being designated as Dakota, Colorado, and Nevada.

The first-named (Dakota) was organized under the provisions of the act of Congress approved 2d March, 1861. It embraces part of the northern portion of Nebraska and what was known as the Territory of Minnesota, or Dakota, west of the Minnesota State line.

The present Territory of Dakota, the largest of all the organized Territories, is bounded on the north by the 49° of north latitude, the international line; on the east by the States of Minnesota and Iowa; on the south by the Missouri, Neobrara, or Running Waters, and Keha, Paha, or Turtle Hill rivers; thence up the latter river to the intersection of the 43° of north latitude; thence due west to the Rocky mountains, and on the west by those mountains.

It contains 326,902 square miles, or 209,217,280 acres, and includes 52,454,400 acres, or the whole extent of the former Territory of Minnesota, also 156,762,880 acres of the northern part of Nebraska.

Within the limits of Dakota there has been organized the Yancton land district.

The area of Dakota, to which the Indian title has been extinguished, is 14,000,000 acres, exclusive of 399,800 of the Yancton "home reservation," under the provisions of the treaty of April, 1858, and about 80,000 acres of the Ponca reservation, treaty of March 12, 1858.

"Yancton," in Dakota, has been designated as the location for the office of the surveyor general of the Territory, and, by order of the President, "Vermillion," on the Missouri river, has been selected as the location for the Yancton land district.

The office of the surveyor general was opened at Yancton on the 1st July, 1861, and the surveying system has there gone into complete operation, pursuant to instructions to the surveyor general.

The surveying service in Dakota, during the present fiscal year, is limited by direct appropriation and apportionment of funds for that purpose. There has been allotted the sum of $8,000 for subdivisional surveys, out of $50,000 appropriated by act of Congress of March 2, 1861, for surveying the public lands; for rent of office and incidental expenses, per act July 27, 1861, $2,000; and $4,100 apportioned on account of the necessary clerk hire out of unexpended balance of former appropriation.

During the year ending September 30, 1861, the surveyor general of Wisconsin and Iowa, who held jurisdiction over lands now in Dakota, has returned; has executed these surveys, embracing 60,639 acres, at the cost of $5,053 15. Besides this, the surveyor general for Dakota has entered into contracts for the subdivision of about twenty townships in the fork of the Big Sioux and Missouri rivers, extending partly over the valleys of Vermillion and Dakota rivers. The lands of the Territory are reported as being of the most fertile character, the climate healthy.

The returns of the deputy surveyors indicate singular richness and uniformity of soil; the bottom lands of the Missouri and other rivers furnishing splendid natural meadows; the prairie, which is high and rolling, being covered with rich pasturage. The surveyor general reports that the capacity of the Territory for stock raising cannot be overestimated; submits an estimate for surveys for next fiscal year of $25,322, recommending an appropriation of $4,000 additional "for the purpose of initiating a geological survey, in connexion with the linear survey, during the next fiscal year."

For reasons connected with the present financial relations of the country, and upon other grounds elsewhere appearing in this report, the estimate submitted by this office for Dakota for next fiscal year is $5,000.

The register and receiver for the Yancton land district were first appointed April 10, 1861, but failing to qualify before the expiration of the late special session of Congress, their duties, for the time being, were devolved on the surveyor general of Dakota, under the provisions of the twelfth section of the act of Congress approved July 22, 1854; the duties, by the 17th section of the organic act of the Territory of Dakota, approved March 2, 1861, being the same as those of the surveyor general of Kansas and Nebraska.

The additional duties thus made incumbent, *ad interim*, on the surveyor general of Dakota chiefly consisted in receiving notices of pre-emption declaratory statements, within his district, upon unsurveyed lands to which the Indian title is extinguished; in attending to the selection of sundry grants of land, under the seventh article of the treaty of April 19, 1858, with the Yancton Sioux tribe of Indians, and to locations of certificates of 80-acre tracts of land issued by the Indian office to the mixed bloods of the Chippewas of Lake Superior, under the seventh section of the second article of the treaty concluded September, 1854, with the Chippewas of Lake Superior, which certificates, by the decision of the department of the 26th February, 1856, are locatable upon unoccupied public lands anywhere open to pre-emption or subject to private entry, in conformity to circular letter of instructions to registers and receivers of November 24, 1857. These temporary additional duties of the surveyor general, however, will soon cease by transfer to the new appointees, who were commissioned to fill the places of register and receiver on the 28th September, 1861.

The new Territory of Colorado was organized by the act of Congress approved February 28, 1861. It is situate between the 37th and 41st degrees of north latitude, and 25th and 32d degrees of longitude west of the Washington meridian, embracing an area of 104,500 square miles, or 66,880,000 acres, of which 8,960,000 acres were formerly included within the Territory of New Mexico.

The portion of Colorado formerly included in the Territories of Utah and Kansas being 47,657,600 acres; in that of Nebraska 10,262,400 acres.

No treaty for the cession of Indian lands in Colorado has yet been ratified. By the treaty concluded on the 18th February, 1861, but not yet ratified, between the United States and the Cheyennes and Arapahoes, about one-third of the area of Colorado, situated north of Arkansas river, east of the Rocky mountains and south of the south fork of the Platte river, was ceded to the United States. In view of numerous settlements along the eastern slope of the Rocky mountains, in the valley of the south fork of the Platte river and the valleys of its tributaries, instructions, on the 9th of May last, were despatched to the surveyor general of Colorado, ordering the location of his office at Denver City, and directing him to establish standard lines over the strip of land embraced between the meridional line of Fort St. Vrain and Colorado City on the east, and the Rocky mountains on the west, an average width of 40 by 138 miles. In thus extending the lines of the public surveys over the lands embraced by the aforesaid treaty, concluded but not yet ratified, it is proper to state that the action of this office was based upon the highest judicial authority, by which it is held that, as between the contracting parties, a treaty takes effect and is binding on *said parties* from the date of its *signing*, the ratification relating back to the date of signing, but on *third parties* it takes effect from the date of *ratification*.—(Vide United States *vs.* Arredondo, 6th Peters's Reports, page 748; also United States *vs.* Sibbald, 10th Peters, page 323.)

In order, however, to obviate any difficulty in the extension of the standard lines along the eastern slope of the Rocky mountains over the lands thus circumstanced, the aid of the Indian agent has been invited, with the view of explaining to the Indians the intentions of the government in relation to the entrance of the surveyors upon a limited extent of the already settled country, for the accommodation of the agricultural portion of the settlers therein, and that the United States surveyors are not to disturb them prior to the final ratification of the treaty of February 18, 1861.

No separate appropriations for the surveying service in Colorado having been made for the fiscal year ending June 30th, 1862, at the time of the organization of the Territory, the sum of $9,000 for the surveys therein was apportioned under the decision of the department out of the appropriations made for that year for the surveying districts from which was constituted the Territory of Colorado, and which funds would have been applied for the survey of those portions thereof, had they not been incorporated into Colorado.

The surveyor general promptly repaired to the post of his duty, reported his arrival at Denver City on 17th June last, where he opened the office and entered upon the discharge of his duties.

Pursuant to instructions the surveyor general has made contracts for the establishment of the 8th guide meridian, 138 miles from the corner to townships one north and south of the base line of ranges sixty-four and sixty-five west of the sixth priacipal meridian, governing the surveys in Kansas and Nebraska, which base line had been surveyed and marked in the field on the fortieth degree of north latitude from the intersection thereof with the Missouri river, west to the summit of the Rocky mountains, prior to the organization of the Territory of Colorado. He has also contracted for the survey of 192 miles of standard parallels, from which township lines, to the extent of the means allotted to this surveying district, will be surveyed during the present fiscal year, leaving sub-divisional work of the agricultural portion of the Territory to be accomplished under future direct appropriations, for which an estimate of $5,000 is herewith submitted.

The surveyor general reports that the valleys of the Platte and Arkansas, with their mountains, are being cultivated with success. The plains situated in the eastern portion of the Territory are not so suitable for tillage as for grazing purposes.

The Territory of Nevada, organized March 2, 1861.—Its geographical limits are 39° west longitude of Washington meridian on the east; 37° of north latitude on the south; 42° of north latitude on the north, and the dividing ridge separating the waters of Carson valley from those that flow into the Pacific ocean, from the 37th to the 41st degree of north latitude, and thence due north to the southern boundary of Oregon, embracing 64,550 square miles, or 41,312,000 acres, formerly constituting the western portion of the Territory of Utah, and embracing a strip from the eastern side of California; but the latter only upon the condition of that State's assent.

The surveyor general of this Territory having been appointed under the provisions of the organic act above mentioned, after receiving his instructions from this office for the government of the surveying operations, left New York on the 21st May last, and reached Carson city, in Nevada, *via* San Francisco, on the 22d June, 1861. Some of the standard lines governing the surveys of the public lines in California, and counting from the Mount Diablo meridian, having been extended east across the Snowy mountains in California, and now partly forming the eastern boundary thereof, the surveyor general of Nevada was instructed to extend the same further east to the valley of Carson river, in Nevada, and establish therein Carson river guide meridian, with standard parallel, so as to reach the localities of actual settlers. To this end the sum of $10,000 was set apart, with the Secretary's concurrence, from unexpended balances of former appropriations for surveys in Utah.

Surveys in Carson's valley, Nevada, had been made by Mormon county surveyors, under color of authority from the Utah legislature, when the region of country formed a part of Utah. The surveyor general of the latter Territory, under orders from this office, had given public notice of the illegality of such surveys, and of the invalidity of any claims resting upon the same, with a warning of the penalty prescribed for violation of the laws of the United States in that respect.

Such was the state of matters existing at the passage of the act organizing the Territory of Nevada when the extension of the lines of the public surveys was determined upon. The surveyor general of Nevada was consequently instructed to carry on his surveying in the valleys of Carson, Walker, and Truckee, or Salmon Trout rivers, and embrace actual settlements, together with those of one hundred and ninety petitioners, who, on the 3d December, 1860, had applied to the surveyor general of Utah to have the lands in Carson county surveyed, and which would have been surveyed under his superintendence during the present year and paid for out of the surveying fund of Utah, had the lands not been included in the surveying district of Nevada.

Upon opening his office at Carson city, the surveyor general of Nevada, after making reconnoissance of Carson valley and the valleys of Washoe lake and Bigler lake, also the settlements of China Town, Silver City, Gold Hill and Virginia City, into contract for the survey of Carson river guide meridian, corresponding very nearly with the 42° 30′ of west longitude of Washington meridian, and standard parallels at thirty miles apart from each other, amounting in all to one hundred and forty-eight lineal miles of surveying, which will form sufficient bases for the sub-divisional surveys during this year and next fiscal year, for which an estimate of $5,000 has been submitted by this office.

The surveyor general reports depredations committed by parties claiming to hold the lands under the territorial laws of Utah, suggesting early surveys, with a view to speedy sale by the United States.

It is also stated that the lands in Carson valley are claimed by persons waiting the extension of surveying lines, so that they may conform their boundaries to the government surveys.

The Washoe valley, being on the west side of the lake of that name, is fifteen by five miles; contains numerous settlers, represented as holding large ranches under illegal grants.

The Walker valley, above Water lake Indian reservation, is represented as containing about 300,000 acres suitable for settlement.

The Truckee River valley, eighty miles above Pyramid lake Indian reservation, contains a large amount of the best lands in the Territory, fit for agricultural and grazing purposes, occupied by settlers holding extensive claims of from one to three thousand acres, under color of Utah territorial legislation.

The surveyor general reports that the population of Nevada Territory is 17,000, mostly found in towns and mining districts; the latter possessing unlimited mineral resources, which are being largely developed.

In 1855 the existing system of timber agencies was instituted by this office, under the provisions of the penal act of 2d March, 1831, "for the punishment of offences committed in cutting, destroying, or removing live oaks and other timber or trees preserved for naval purposes," and in view of the decision in the case of the United States *vs.* Ephraim Briggs, (9th Howard, p. 351,) in which the Supreme Court decided that the said act authorized the prosecution and punishment of all trespassers on public lands by cutting timber, whether such timber was fit for naval purposes or not.

The present system was embodied in a circular letter, dated December 24, 1855, addressed to the registers and receivers, devolving the duties connected therewith upon the officers of the local land districts. There being as yet no such officers in Nevada, the duties of the register and receiver in this particular were assigned by this office to the surveyor general on the 9th September, 1861, requiring him to act in carrying out the system as developed in that circular, when necessary to protect the public timber from spoliation in Nevada.

CALIFORNIA.

During the past year there have been surveyed 742 lineal miles, embracing 212,475 acres.

The greater portion of the appropriation for this district has been allotted to private land claims, of which fifty-eight have been surveyed during the past year.

Four deputy surveyors have been in the field, under different contracts, since last annual report, and the surveys comprise—

1. Those private land claims in regard to which final judicial decrees have been filed in the surveyor general's office.
2. Resurveys of private claims, ordered by the United States district courts.
3. Subdivisional work, bordering on private land claims, in San Luis Obispo and Santa Barbara counties.
4. Subdivisional work of three fractional townships in the Humboldt district.
5. The subdivisions bordering on or near Nome Cult Indian reservation.

The surveyor general recommends the subdivision of certain townships situated east and west of the bay of San Francisco, the valley of Sacramento river, in Big valley, west of Clear lake, in Anderson's valley, and along the rivers Noya, Big Albion, Navarro, and Garcia, in Mendocino county, and also a number of townships in the northeastern portion of the State, in the Pitt river valley, heretofore occupied by roving, warlike Indians, who have been removed.

That region is represented as being rapidly filled up with settlers, the lands as devoid of minerals, and well adapted for agricultural and grazing purposes. It is also represented that in some of the townships already subdivided discoveries of minerals are almost daily being made, the following instances being reported, all *east of the Monte Diablo meridian*, viz.:

That the late discoveries of *silver* known as "caso" are in township 18 south, range 40 east, situated east of Owen lake.

The Esmeralda silver mines are in the northeast of township 3 north, range 28 east, being northeast of Mono lake.

That rich quicksilver mines in the Berreyesa valley are in township 10 north, of ranges 4 to 7 east, being northeast of Sacramento City.

That the Monte Diablo coal mines are in township 2 north, of ranges 1 and 2 east.

That the Coral Hollow coal mines are in township 3 south, ranges 3 and 4 east.

That rich copper veins have been struck in townships 2 and 3 north, of ranges 12 and 13 east, between Calaveras and Stanislaus rivers; and that *west* of the San Bernardino meridian *tin* mines have been discovered in the Temescal range of mountains, in townships 2, 3, 4, 5, south, of ranges 4, 5, and 6, west, between San Jacinto and Santa Ana rivers.

The surveyor general reports a large portion of the mineral regions as the best portion of the State for agricultural purposes, and recommends that township lines be extended over the whole mineral region; expressing his opinion that as nearly all the mining interest is controlled by capital, the time has arrived when, without injustice to the miner, the government can subdivide the land and obtain a fair compensation therefor.

That officer submits an estimate of $50,000 for the survey of private land claims, and $100,000 for the survey of public lands, indicating a number of townships to be subdivided, bordering on private claims, which have been finally settled.

From the organization of this surveying district to the 30th June last there have been surveyed in California 99,482 lineal miles, embracing 18,553,988 acres, at a cost of about $1,763,633 48.

In view of such immense field operations, at so heavy an outlay, and with most inconsiderable results to the treasury, this office proposes but a small appropriation, for the present, to be applied to the survey of private land claims.

In considering the subject in this point of view attention is drawn to the heavy expenditures incident to the public land administration in that State, in comparison with the inconsiderable receipts and general results in regard to the disposal of the public lands.

There are now six local land districts in the State, having in the aggregate twelve officers, (registers and receivers,) with a salary of $3,000 each, besides allowance for office rent and incidentals, making the expenditure for the year ending 30th June, 1861, about	$42,600 00
Besides this, there is a United States surveyor general, with a salary of $4,500 per annum, with clerks, translator, and incidentals, including $2,100 per annum for office rent, at the cost for last fiscal year of	26,297 86
Making a total of	68,897 86

The whole cash receipts for the same period from the sale of public lands in California were $101,357 37. And the total disposed of by the location of land warrants during the same period was 106,440 acres.

Since the commencement of land operations in the State to the 30th September, 1861, there have been proclaimed and offered the aggregate quantity of 11,282,541 acres.

The total cash receipts for the same period was $296,697 02.
Total area covered by land warrant locations, 302,562.80 acres.

These results suggest legislation authorizing a material diminution of the number of districts by consolidation, and the arrangement of compensation by assimilating salaries in some just proportion to those paid in the elder land districts of the Union. This suggestion as to compensation applies also to Oregon, Washington, and New Mexico—the existing rates having been fixed when those regions were newly organized, and the cost of transportation and supplies enormous.

There is another matter in this connexion requiring consideration, and that is the expense to the United States in the survey of confirmed private land claims. The cost of these in California, to 30th September, has reached $157,095 63.

This has been materially increased by judicial intervention, under act of Congress approved June 14, 1860, defining and regulating the jurisdiction of the district courts in California, "in regard to the survey and location of confirmed private land claims," pursuant to which the power to determine questions of location and to alter or modify boundaries is conferred on the courts. Returns have recently reached here, whereby the cost of the survey to the United States of a single rancho is shown to be $2,674 00; another at the cost of $1,611 35; and one from New Mexico at the cost of $1,966 26.

It is recommended that an act be passed requiring surveys of such confirmed claims to be made at the expense of claimants, as required in earlier legislation.

OREGON.

During the last year surveys in this State have been returned to the extent of fifteen townships and fractional townships, located principally in the valleys of the Des Chutes and Umatilla rivers, east of the Cascade mountains, in the vicinity of the Columbia river. The lands under contract during the present year are near the same locality, and are equal to twenty whole and fractional townships.

There have been surveyed 979 miles under contracts closed since August 30, 1860, and 1,226 miles contracted for since the same period. 50 plats of exterior subdivisional guide meridian and standard parallel lines have been prepared; also, 40 plats have been completed of townships embracing the surveys of donation claims. These townships are situated in the valleys of Willamette, Umpqua, Coquille, and Rogue rivers, and their tributaries lying west of the Cascades, and contain 798 donation claims, covering 260,085 acres. The quantity of acres of the public land remaining in these townships liable to be disposed of under the pre-emption laws and otherwise is 410,924 acres.

The surveyor general recommends the extension of public surveys as follows: The guide meridian south, between ranges 17 and 18 east of Willamette meridian, passing through the valley of the tributaries of Fall river.

The guide meridian south, between ranges 30 and 31 east, through townships 1, 2, 3, 4, and 5 south, first standard parallel south of the base line east, to guide meridian, between ranges 30 and 31.

The exterior and subdivisional lines of townships north of base line, between ranges 17 and 33, bordering on Columbia river, between John Day's river and Umatilla river, and a few townships in the southwest portion of the State near the Pacific ocean.

The extension of the base line is also recommended by the surveyor general, from the vicinity of Walla-Walla meridian to the present termination thereof, east to Snake river, or the eastern boundary of Oregon. For these proposed surveys the surveyor general estimates $42,240.

Looking, however, to the advances heretofore made in extending the lines of public surveys in Oregon, to the extent of surveyed lands in that State not disposed of, and to the present exigencies of the country in respect to means, this office does not regard such extensive operations of indispensable necessity during the ensuing year, and has, consequently, concluded to reduce the estimate to $5,000.

The late surveyor general, on the 29th of January last, reported certain surveys as executed by Lafayette Cartee, deputy surveyor, in excess of his contract of October 14, 1860, consisting of township lines and subdivisions of four townships, situated in the Des Chutes River valley, amounting to $3,033 50.

The work was approved by the late surveyor general, but, being in excess of the appropriation for the last fiscal year, and without authority of law or instructions, has been laid aside and payment refused, unless Congress shall deem it proper to give the department authority to receive the work and pay for the same.

WASHINGTON TERRITORY.

When the last annual report was made from this surveying district there were eight unfinished outstanding surveying contracts, of which six have since been closed, and the time for completing the other two has been extended to the 25th of December, 1861. Since that report, the surveyor general has entered into five contracts, to the extent of 1,820 lineal miles.

Estimated cost, $21,840, for surveys on both sides of Hood's canal at its southern extremity, and in the valleys of Dwamish and Cedar rivers, near their confluence with Admiralty Inlet, west of the cascades, and also east of those mountains in the valley of Klikitat river, near the portage at the Dalles, and in the valleys of Walla-Walla and Touchet rivers.

The survey of the residue of the lands in the vicinity of Vancouver, including the site of the town, has been completed, as also that of nearly all donation claims.

During the same period there were prepared sixty-five township plats, of which twenty-two were protracted from the field notes of surveys, and forty-three copies made of the same, showing 700 miles of surveying.

The surveyor general submits estimate for the fiscal year ending June 30, 1863, for the extension of meridian and standard parallel lines to the extent of 276 miles, and for 5,105 miles of township and subdivisional surveys, at the aggregate cost of $66,792, which estimate has been reduced by this office to $5,000, in consideration of our existing financial relations and the little demand for surveyed lands in Washington Territory.

The claims of the Puget's Sound Agricultural Company, under the 4th article of the treaty of 1846 with Great Britain, remain unadjusted, definitive action in that respect being deferred for the directions of Congress in regard to the manner of adjustment and final disposal of this business, a mode of proceeding to this end having been recommended in the last annual report from the department.

In the meantime the surveyor general is interdicted from entering upon the survey of those lands, although it is understood that actual settlements therein have been made by hundreds of our own citizens, nor is that officer yet authorized to survey the islands between the straits of Rosario and Haro, upon some of which settlements by our people have also been made, particularly upon the island of San Juan, the survey of those islands being deferred until the international lines shall have been fully determined.

During the past year eleven deputies have been employed in extending the lines of public surveys and ten engaged on surveys of donations, nearly all of which have been completed, the closing of the lines of the surveys having tested in a gratifying manner the correctness of former surveys.

It is reported that recent discovery has been made of very rich gold placers in the Nez Percé country, along the valley of Clear Water river, an affluent of Snake river, and that nearly ten thousand people are there, who it is supposed will occupy all the farming lands. The region for the principal future surveys in the Territory, the surveyor general reports, will be upon the upper Columbia, and the rivers and bays of the Pacific ocean.

NEW MEXICO SURVEYING SERVICE.

The surveys in this Territory during the last year have been extended over the following confirmed private land claims and pueblos, viz:

Claim of Preston Beck, jr., town of Anton Chico, town of Las Vegas; claim of Donaciano Vigil, "Los Trigos," and claim of E. W. Eaton, together with public lands, in all 680 miles, embracing an aggregate area of 1,338,000 acres, at the cost of $9,369 65.

From this surveying district has also been furnished the appended statement showing the names of all the Indian pueblos in New Mexico, with their localities, population, wealth, and the time their land claims were confirmed by Congress, when surveyed, and the areas thereof.

This statement comprises forty-eight pueblos, containing in the aggregate, according to census of 1860, a population of 16,922.

Personal estate owned in pueblos, $772,766.

Area of land in the same, 517,427$\frac{48}{100}$ acres.

We have also from the surveyor general a communication addressed to him by Captain Baker, a resident of the valley of the San Juan, one of the tributaries of the Colorado of the West, descriptive of that part of the Territory, and urging that the public surveys be extended over that valley and the valleys of the numerous affluents of San Juan—among others the valleys of Rio de las Animas and de la Plata, reported as being "among the finest agricultural valleys of the continent," and abounding in bituminous coal.

It is also represented that the valleys of the Rio de las Animas and San Juan are strewn with the ruins of cities, many of them of solid masonry. Stone buildings, three stories high, are yet standing of Aztec architecture.

It is further reported that near the confluence of the La Plata and San Juan three seams of coal were observed, the first, or the upper one, four feet thick, within twenty feet of the surface; the second, six feet thick, nearly within same distance; the third, ten feet thick, within about fifty feet of the surface.

It is also reported that complaints are made by the pueblo Indians of the encroachments upon their lands by the Mexican people, owing to the pueblos not having been surveyed and their limits defined, for want of sufficient appropriations.

The estimate submitted by this office is mainly designed for that purpose.

The survey of the boundary between Colorado and New Mexico is urged by the surveyor general in order that it may be ascertained whether the adjudication of claims, under treaty of Guadalupe Hidalgo, situated in the vicinity of the thirty-seventh parallel of north latitude, belongs to the surveyor general of New Mexico or of Colorado.

That officer has submitted an estimate of $40,000 for the surveys in the field for the next fiscal year. The reported continual depredations of the Indians on life and property in New Mexico, the dangers to deputies without escorts, are reasons for restricted operations, in addition to monetary embarrassments; and hence the sum of only $5,000 is submitted by this office for the next fiscal year.

Of the private grants which have been filed in the office of the surveyor general since last annual report but four have been adjudicated by him. That officer reports that there are in existence hundreds of claims which should be filed, but holders of these land grants refuse to present them for investigation.

To remedy this evil the propriety of limiting the time by law within which the muniments of title should be filed is suggested.

This policy seems to be called for by public interests connected with donation claims and the surveys of the public lands; the latter, in many instances, having been postponed from year to year in apprehension of the localities being covered by treaty grants.

The appropriation of $10,000, per act of March 2, 1861, for the surveys of New Mexico, being reduced to $8,000 by apportioning the difference to the newly organized Territory of Colorado, under decision of the 5th April last, the surveyor general entered into surveying contracts, payable out of that amount, $8,000.

The contract embraces the surveys of private land claims and their connexions with the lines of public surveys, viz:

1. Town of Tajique.
2. Casa Colorado.
3. Torreon.
4. Manzano.
5. Tejon.
6. San Ysidro.
7. Cañon de San Diego y Moro.
8. Grant of John Lamy.
9. " of Ortiz Mine.
10. " of José Serafin Ramirez.
11. " of Antonio Sandoval.

12. Grant of Ramon Vigil.
13. " of Francisco Martinez.
14. " of Sebastian Martinez.
15. Also, the two selected locations for the heirs of Luis Maria Cabeza de Baca.

The surveyor general suggests that, in order to do justice to the surveys, both to the government and the confirmees of private claims in New Mexico, a law should be passed applying the provisions of the act of Congress, approved June 14, 1860, for the determination by the courts of the correctness of locations and surveys in California to those of New Mexico, in disputed cases, growing out of indefinite boundaries described in the grants.

The extent of the surveys of public lands and confirmed private grants since the organization of the surveying district of New Mexico, in 1854, is illustrated on the map accompanying the annual report of the surveyor general of the 29th August last. It consists of the following:

92 townships and fractional townships, situated in the Rio Grande valley from 32° to 36° of north latitude, or from Fort Fillmore up to Santa Fé, and 20 townships lying in the valleys of Canadian river and Utah creek, Rio Concho and Moro tributaries of the Canadian, situated south and east of Fort Union, embracing $2,331,114\frac{48}{100}$ acres.

25 private and pueblo claims, covering the area of $2,070,094\frac{98}{100}$ acres, situated mostly in the valley of the Rio Grande and the northern affluents of Rio Pecos, lying east and southeast of Santa Fé.

A list received from the surveyor general is appended to this report of the captains general, civil and military governors, &c., in authority in New Mexico under the crown of Spain and the government of Mexico, as collected from the Spanish archives in the office of the surveyor general of New Mexico, embracing a period of time extending from the year 1698 down to 1846, when Santa Fé was taken possession of by the United States government.

TERRITORY OF UTAH,

which by the original act establishing the territorial government, approved September 9, 1850, contained 140,925,440 acres, has been reduced to 84,044,880 acres, by the provisions of sections 1st and 21st of the act of Congress organizing the Territories of Nevada and Dakota, approved March 2, 1861.

No public lands have been surveyed in Utah since the year 1857, there being no land district organized for the disposal of 2,500,000 acres already surveyed, and no demand for purchase from the United States.

The surveyor general, with his limited clerical force, has been occupied in the examination of former surveys, executed under the late surveyor general, David H. Burr, against which sworn allegations of fraud had been preferred.

Mr. Burr's immediate successor has been engaged in the examination of surveys made by Charles Mogo, deputy surveyor, under his contract with Surveyor General Burr, dated March 6, 1857.

The late surveyor general, Mr. Stambaugh, after organizing an examining party, started for the field in the early part of the last fiscal year, and his report of the examinations made, dated September 10, 1860, disclosed disregard, on the part of the late surveyor general, of the laws governing the surveys, and, on that of his deputies, great delinquency in perpetuating the corner boundaries of their surveys in the field, and in the failure to plant corner posts of the requisite dimensions.

The examination of the surveys made under the administration of Surveyor General Burr has resulted in showing great remissness on the part of that officer in not providing proper checks upon his deputies, as required by law and instructions, to prevent the survey of lands unfit for cultivation.

The surveying account of Charles Mogo, United States deputy surveyor, growing out of his contract of March 6, 1857, with the late surveyor general ot Utah, which, by the decision, dated the 27th of August, 1861, of the Secretary of the Interior, was directed to be adjusted upon the principles therein laid down, was reported for payment to the amount of $4,173 63, instead of $13,285 23. The amount which has been allowed and paid consists only of the per mileage due Mr. Mogo for standard and township lines, $4,008 89, which work by law he had authority to survey, and $144 74 for the subdivisional lines covering the extent of 5,000 acres of land, the surveyor general's report of the examination of Mr. Mogo's work in the field showing this extent to be fit for agricultural purposes, and consequently surveyable under the law and instructions.

Under said decision there was disallowed the sum of $9,111 60, being charges of per mileage under his contract for the subdivisional survey of desert land, the survey of it being interdicted by law, which declares that "none other than township lines shall be run where the land is deemed unfit for cultivation."—(Statutes at Large, vol. 9, p. 497, made applicable to the surveys in Utah by the provision of the 1st section of the organic act establishing the office of the surveyor general of Utah, approved February 21, 1855.)

The late surveyor general of Utah reported against the continuation of the public surveys in Utah until a different policy may be devised by Congress to induce other than Mormon emigration to the Territory.

The region in the valley of Uintah river, a tributary of Green or Colorado river in Utah, situated about sixty miles south of Fort Bridger, is represented as the best agricultural lands, abounding in pine and other timber, watered by several streams affording valuable water power, and presenting great inducements to settlers.

It is reported that all the settlements heretofore made in Utah were established under the special direction of the Mormon church; that about the 1st of September, 1861, an exploring party left Salt Lake City, headed by the territorial surveyor general, preparatory to the settlement of this and other valleys, by one hundred and fifty families, who proposed removal for the organization of settlements. No public surveys have extended over the Uintah valley, owing to its isolation and hitherto uninhabited condition, except by the Indians. Explorations made during the last summer, by a surveying party, for a more direct overland route from Denver City, Colorado, to California, having passed through the valley of Uintah, and reported it well adapted for large settlements, and favorable for the location of the overland route, seem to have given incentive to the appropriation of the valley by Mormons.

The President, however, by order dated October 3, 1861, upon the application of the Indian office, has directed the reservation of the valley for Indian purposes, and the surveyor general has accordingly been instructed to lay down upon the map of Utah Territory the reservation, containing upwards of 2,000,000 acres, to be respected accordingly in future surveying operations.

As no land district has yet been organized for Utah for the sale or disposal of the public lands already surveyed, and no information has reached this office showing any general desire on the part of the people to acquire titles to the public lands from the government, no further surveys are now recommended—it being proposed, merely, to keep up the organization of the district through the surveyor general, now in custody of the surveying archives, until either the department shall deem it proper to close for a time the district, placing the archives in charge of some United States functionary, or until the policy of Congress in the premises shall be marked out by further legislation.

Turning from the surveying departments in the great inland region, and on the Pacific, and advancing from these eastward, we first reach in geographical position, Kansas, Nebraska, and pursuing the subject, will now briefly consider the surveying relations of the elder surveying land districts east and west of the Mississippi, in the northwest and southwest, and in the southern portion of the republic, the first in order being

KANSAS AND NEBRASKA.

The returns of the field work show that there have been surveyed during the year ending September 30, 1861, in Kansas, 5,006 miles of township and subdivisional work, principally diminished reserves and trust lands of the Kansas, Delaware, Sac and Fox Indians, and 1,420 miles in Nebraska, in the South Platte and Nemaha land districts.

Besides this, the surveyor general has entered into four contracts for surveys in Kansas and Nebraska, equal to 2,196 lineal miles, at a cost of $11,772.

In this surveying department one hundred and twenty-five township plats for *Kansas* have been prepared and sent to the proper district offices, for an area of acres	2,159,688.69	
The plats previously reported embracing acres	12,086,316.00	
Making plats duly returned for a total area in Kansas, of acres		14,246,004.69
Twenty-three township plats for *Nebraska* have been prepared during the past year, and transmitted for an area of, acres	449,621.53	
Plats previously reported for, acres	9,415,675.64	
Making plats returned for, acres		9,865,297.17
Total surveyed and platted lands in Kansas and Nebraska, acres		24,111,301.86

The surveyed lands in Kansas start from about 37° 26′, extending north a distance of about 154 miles, reaching to the 40th degree of north latitude, and from the western boundary of Missouri, westward, a distance of 160 miles, including the "home reservations of the Pottawatomies, Kansas, Kickapoos, Ottoes, Kaws, Sacs and Foxes of Missouri, Ioways, Ottowas, and Chippewas.

The lands surveyed in Kansas are watered by the Missouri river and its tributaries, Kansas and Osage, Kansas and its tributaries, viz: Stranger creek, Grasshopper, Big and Little Blue rivers, Republican, Solomon, Saline, and Smoky Hill forks, the Arkansas river and its affluents, Neosho, Verdigris, and Little Arkansas. The surveyed lands in Nebraska embrace that part of the Territory extending from the Missouri river on the north, southward to the 40th parallel of latitude by an average width, west of Missouri river of eighty miles, exclusive of the home reservations for Omahas, Ottoes, and Pawnees. The surveyed lands are in the valleys of Platte and Missouri rivers and their tributaries, viz: Loup Fork, Elk Horn, Niobrarah, Great and Little Nemaha, and also Republican Fork, Big and Little Blue—the affluents of Kansas river.

The northern portion of the Cherokee neutral land is reported to be densely settled, under the impression that the northern boundary of these lands was twelve miles south of the 5th standard parallel.

One settlement ("Drywood") alone is represented as containing three or four hundred settlers, who have made valuable improvements. As it is understood that the Cherokee Indians are inclined to dispose of these neutral lands, the surveyor general recommends that the Indian title be extinguished as early as compatible with the public interest. Settlements also are reported on the Osage Indian lands embraced within a strip along the northern boundary eight miles wide. This tribe also, it is understood, are willing to dispose of the eastern portion of their lands.

In urging the extension of surveys, the surveyor general represents it as but justice to the settlers to state that many of them have left their families and are enrolled under the flag of the Union, and may be confidently looking to the government to secure homes to their wives and children.

As a reason for asking for large appropriations during the next year, the surveyor general urges the probability of the issue of a great number of bounty land warrants to the soldiers engaged in putting down rebellion, and with this view submits estimates for the extension of surveys—

In Kansas	$74,694
In Nebraska	75,292
Making a total of	149,986

sufficient to pay for additional surveys to the extent of 390 townships, or nearly 9,000,000 acres.

In consideration of the large quantity of surveyed, undisposed of lands in Kansas and Nebraska, and for reasons elsewhere suggested in this report, connected with the financial concerns of the country, and of the settlers themselves at this conjuncture of public affairs, this office has submitted a diminished estimate of $10,000.

The best lands in Kansas are reported to be situated south of those already surveyed, which adjoin Cherokee and Osage lands, a belt of twenty-six miles, to which Indian title has not yet been extinguished, and therefore, even if enlarged appropriations were made by Congress for the surveys of the public lands in Kansas, the funds could only be applied for those lying west of the present surveyed lands, estimated at thirty millions acres, the inducements to settlers being lessened in regard to these on account of their distances from public highways. Like remarks may be applied to Nebraska, as diminished by the creation of the new Territories of Dakota and Colorado.

The surveying machinery in Kansas has been applied towards the subdivision of the home reservations of the Delawares under treaty of 1854, Sacs and Foxes of Mississippi, treaty 1842, and of Kansas, treaty 1846, amounting in the aggregate to 1,012,242.67 acres, the surveys to be paid for out of the proceeds of the sales of their trust lands, under the control of the Indian office.

These lands, by the provisions of recent treaties, have been surveyed in accordance with the public land system into diminished home reservations, to be allotted in severalty to the respective tribes. The ceded lands have in like manner been surveyed to be sold in trust for the benefit of the Indians. The surveyed reservations are described as follows:

The Sac and Fox diminished reservation, containing	153,997.42	acres.
Sac and Fox trust land, containing	278.199.89	"
The Delaware diminished reservation, containing	100,092.41	"
Delaware trust lands, containing	223,890.94	"
Kansas diminished reservation, containing	80,409.06	"
Kansas trust lands, containing	175,652.95	"
Making the aggregate above stated of	1,012,242.67	"

WISCONSIN—IOWA SURVEYING SERVICE.

Wisconsin.—The subdivisional lines of fifteen townships in this State have been run since the last annual report, being equal to 1,000 miles, and embracing an area of 264,000 acres. Three of those townships are located near the St.

Louis river, three in the vicinity of Bad river, in Lapointe county, and nine north of the 3d correction parallel, situated part in Oconto county and a portion in Marathon.

The exterior lines of forty-eight townships and fractional townships lying in Marathon county, between the headwaters of the Wisconsin river and the Michigan boundary, have been surveyed since the last annual report, equal to a distance of 371 miles and 15 chains.

There remain in this State, east of the 4th principal meridian, about 480 miles of township lines to be surveyed and 150 townships of subdivisions. All west of that meridian are completed or under contract. The surveyor general submits an estimate $15,000 for the survey of township and subdivisional lines, situated between the 3d and 4th correction parallels east of the 4th principal meridian.

Upon the completion of the Iowa surveying archives, the attention of the force in this surveying district will be directed to the prosecution of the field and office work in the State of Wisconsin.

IOWA SURVEYING SERVICE.

The survey of the two townships situated on the northern boundary of the State, and embracing Spirit Lake, which remained unsurveyed at the date of the last annual report, has been completed, thus closing the surveys of the public lands in Iowa.

The surveyor general has been directed to bring up the records of his office so far as they relate to this State, within the present fiscal year, preparatory to their delivery to the State authorities whenever an act authorizing their reception shall have been passed.

With this in view, there has been apportioned the sum of $3,000 to the office of the surveyor general at Dubuque, Iowa, to enable him to accomplish the work by the 30th June next, which work is reported as rapidly progressing.

MINNESOTA TERRITORY.

The public surveys had been extended under the superintendence of the surveyor general of Wisconsin and Iowa on that part of this Territory included in Dakota Territory, previous to the organization of the latter under act of March 2, 1861, viz: The base line has been surveyed between townships No. 94 and 95 of ranges 48 to 61 inclusive, extending from the Big Sioux river to the eastern boundary of the Yancton Indian reservation, a distance of 81 miles. Township lines have been surveyed between ranges 48 and 62 immediately north of Missouri river, a distance of 345½ miles; subdivisions of these townships amounting to 231 miles, embracing an area of 60,639 acres. Most of these townships are already covered with claims of actual settlers, and embrace several towns and villages. The soil is reported to be of unsurpassed fertility.

On the 13th July last all matters pertaining to surveys in this portion of the Territory were turned over to the surveyor general of Dakota.

MINNESOTA.

In this State during the last year there have been surveyed 501 miles of standard parallel and guide meridian lines; 1,144 miles of section lines, together with 334 miles of meandered lakes and streams. The subdivisional surveys comprise 441,000 acres of the public lands. They are situated in the vicinity of Otter Tail lake, northeast and southwest thereof. The lands surveyed are described as first and second rate, well adapted for agricultural purposes. Scarcity of timber, however, exists to a considerable extent, with the exception of the region of country north of Otter Tail City, over which township lines have been run, and five townships were subdivided with the view of ascertaining the value of those lands for lumbering purposes.

That locality has been found to abound in good pine timber, but is represented as not adapted to farming purposes.

The estimated area of the State of Minnesota is 52,454,400 acres.

There has been surveyed very nearly one-half of the lands in Minnesota, to which the Indian title had been extinguished, leaving about ten millions of acres to which Indian title has not been extinguished.

This portion where the usufruct title has not been relinquished consists of two separate bodies of lands. One situated in the northwestern corner of the State, bounded on the west by the Red River of the North, extending from the mouth of Wild Rice river to the international boundary; on the south by a line drawn northeastwardly from the mouth of Wild Rice river to Turtle lake, about twenty miles southeasterly of the Red lake; and on the east by a line connecting the source of the Black river, affluent of the Rainy Lake river, with Turtle lake.

The other tract of country to which Indian title has not as yet been extinguished lies south of the Rainy lake, west of the most western bend of Vermillion river, east of Big York river, the tributary of the Rainy Lake river, and north of the line connecting the western bends of the Vermillion and Big Fork rivers.

The lines of the public surveys, progressing northward along the Red River of the North, have reached down to the mouth of the Wild Rice river, the latitude of Itasca lake, or the source of the Mississippi river, and along the northwest shore of Lake Superior; the surveys have been already extended to the mouth of the Pigeon river, in latitude of 48°, while those along the western shore of the Mississippi river and west thereof have advanced to about twenty miles north of the confluence of Crow Wing river with the Mississippi, or about 46° 30′ of north latitude, from which begins the great lumbering regions of the Mississippi, interspersed with innumerable small lakes.

The surveyor general recommends the extension of the public surveys over the pine lands of the upper Mississippi river, north of the Mille Lacs, situated on both sides of the river, on account of the depredations of lumbermen, who, he reports, would probably buy the lands if brought into market.

That officer also suggests the subdivision of about fifteen townships in the northwestern land district, to meet the wants of settlements continually formed on the important line of communication now opened with the northwest, lying in the fork of Sioux Wood river and Red River of the North; also some twenty-five townships in the southwestern corner of the State, where township lines have just been surveyed. With this in view, he submits an estimate of $58,246. Owing to the large quantity of surveyed lands in the State not yet disposed of, and the probable heavy pressure upon the government finances during the next year, the department estimate is reduced to $8,000, to keep in operation the surveying machinery on an economical scale during the next fiscal year, and to afford an opportunity to bring the office work of that surveying district up, and hereafter keep it up with the progress of surveys in the field.

The surveyor general reports that surveys under the appropriation of $50,000, per act of March 2, 1861, of which there has been assigned by this office to his surveying district the sum of $13,000, have been contracted for to the full extent of the means provided, and that the deputy surveyors are in the field actively engaged in their duties.

MISSOURI, LOUISIANA, FLORIDA.

The surveying operations in Missouri, Louisiana, and Florida, represented in the last annual report as nearly completed, have since been brought to a close in the State of Missouri; and such would have been the case in the States of Louisiana and Florida had it not been for the interruption of the surveying service there caused by the disturbed condition of those States.

The surveyor general of Louisiana left his office on the 6th February, 1861, announcing his intention to deliver over the archives of the office to the State authorities.

The surveyor general of Florida reported on the 10th January, 1861, that his connexion with the government had ceased on that day, and the surveying archives in his office were placed by him under the control of the State authorities.

The surveys of the public lands and confirmed private claims in the States of Missouri, Louisiana, and Florida may be considered as virtually completed, and no longer requiring the continuance there of the offices of the surveyors general.

Any fragmentary surveys which, at a future day, may be required, can be accomplished under the direction of the Commissioner of the General Land Office, conformably to the provisions of the laws of Congress of January 12, 1840, and January 22, 1853.

The surveying archives for the State of Missouri, as well as Illinois, now in the office of the surveyor general at St. Louis, Missouri, will be ready before the expiration of the present fiscal year, to be delivered over to the authorities of those States; should, however, no provision of law be enacted by the respective legislatures for their reception, it is proposed by this office, on the discontinuance of the surveyor general's office, on the 30th of June, 1862, or earlier, to place those *archives* in the custody of the recorder of land titles at St. Louis, Missouri, for ultimate delivery to the State authorities.

The surveying estimates presented by the surveyors general of the different surveying districts are exhibited in the accompanying transcripts of their reports, in connexion with the estimates submitted by this office, the former being largely in excess of those determined upon by the department, which it will be seen are quite limited.

The reasons for the submission of such reduced estimates are these:

First. The pressing accumulated and increasing demands at this time upon the public treasury, growing out of the war for the defence of the Union, taxing the resources of the government to an extraordinary extent.

Second. That there are large quantities of public lands now surveyed and open to sale and settlement, yet the diminished receipts from the same show that the supply is greatly in excess of the demand.

Third. In this period of disquietude and excitement in public affairs, the treasury may expect but little from the investment of capital in the public lands, and equally inconsiderable results from emigration, kept back as it is by like causes from the wide fields of the public domain.

Then, in regard to actual settlers, the frontier men, those in the military service of the republic, and those tilling the earth, there can be no good reason for hastening surveys, because, by doing so, they are first forced to file their pre-emption declarations within a limited and brief period from the date of survey, or run the risk of forfeiture; then by survey, the lands covered by their settlements are rendered liable to proclamation of public sale under existing laws, the effect of which would be to shorten their credit, by forcing payment, with penalty of forfeiture, before the day of public sale. In the present conjuncture of public affairs, it would be no benefit, but a prejudice, to any just interests, public or private, to enlarge the surveying appropriations; but, on the contrary, sound policy and justice to all interested, suggest that surveys shall advance according to the requirements of actual settlers, seeking to perfect their titles by purchase and patent, the supply of fresh land to bear some reasonable ratio to the probable demands.

Private land claims, embracing titles derived from former governments, and donations under the laws of the United States.

From the mass of the public lands titles of this class are segregated, not only to secure and protect owners confirmed in such claims, but also to enable the government to dispose of such lands as unincumbered public property.

The labors in this branch of the service have been lessened by the suspension of business with the States of Alabama, Mississippi, Louisiana, and Florida, and the closing of the land offices in those States, by which proceedings that had been commenced for indemnity to claimants in cases of unsatisfied confirmed private claims, under the act of June 2, 1858, were arrested, as well as those for carrying out the liberal provisions for the adjustment of similar claims under the act of June 22, 1860.

The business connected with donation claims in Oregon and Washington Territory, under the acts of 1850, 1853, and 1854, is progressing in a satisfactory manner; cases, however, frequently occur of conflict of rights and boundaries, leading to much litigation among claimants, and demanding care and labor in their investigation. This is more especially the case with claims which were located in advance of the United States surveys, and where but little care was exercised by settlers in distinctly marking their corners, or limits, or in giving proper descriptions of their lands.

The act of June 14, 1860, to define and regulate the jurisdiction of the courts in regard to private land claims in California, has relieved this office of the difficulties consequent upon the adjustment of questions of survey and location of those claims; such questions being, under that act, brought within the jurisdiction of the United States district courts for that State.

Upon approved surveys of confirmed Spanish and Mexican claims in California, patents have been issued to the extent of 1,746,574 acres.

Surveys of confirmed private claims and pueblos in New Mexico are now coming in, and such are the arrangements of this office that patents for all such claims found regular can speedily issue.

The pre-emption principle recognized in the early legislation of our country, has ripened into a permanent system, having its broad foundations laid in the act of Congress approved 4th of September, 1841.

In the expansion of the system and its application to unsurveyed lands in the new States and Territories, some irregularities have arisen, suggesting legislative intervention. For instance, in Kansas and Nebraska, where unsurveyed lands are claimed by pre-emptors, notice of the specific tract claimed is required to be filed within three months "after the survey has been made in the field." (12th section act July 22, 1854.)

In the 7th section of the same law, extending the pre-emption act of 1841 to New Mexico, it is required that in all cases where the settlement was made before the survey, the settler shall file his declaration within three months "after the survey *is made and returned*," which practice holds to be the date of the approval and return of the survey. A like requirement to this exists by the act of August 4, 1854, in regard to Minnesota.

The 3d section of the act of 17th July, 1854, extending the pre-emption act of 1841 to the then Oregon and Washington Territories, directs that all settlers there, on unsurveyed lands, shall give notice to the surveyor general, or other duly authorized officer, of the particular tract claimed under that section "within six months after the survey of such lands is made and returned."

It is recommended that the rule in regard to the period of filing on such lands should be made uniform; the period, say three months, to take date in all cases from the approval of the township plats.

In the 6th section of the act of Congress approved 3d March, 1853, extending the pre-emption rights to California, there is a proviso that nothing in that act shall "be construed to authorize any settlement to be made on any public lands not surveyed, unless the same be made within one year from the passage" of that "act, nor shall any right of such settlers be recognized by virtue of any settlement or improvement made of such unsurveyed lands subsequent to that day." The act of 1st March, 1854, extends the period to "settlements made prior to and within two years after that date." So that settlements upon unsurveyed lands in California are restricted by limitation in the statute to 1st March, 1856, which restriction it is recommended be repealed.

It is proper here to state, however, that it has been held that where persons are found residing upon any of the unappropriated public lands in California subject to pre-emption settlement, "*after* the *survey*, where settlements were made since 1st March, 1856, and before the survey, such persons will be regarded as legal settlers *from and after the survey* of the settled lands has been made in the field, and not before that time; such settlers being required to file their declaratory statements within three months after the reception of the township plats at the district land office.

It having been decided that all lands falling within the incorporated limits of a town are excluded from agricultural pre-emption, it is recommended that a law be passed defining the extent thus excluded as an urban claim, say 320 acres, the maximum allowed to town site pre-emptions by act of 23d May, 1844, and that all subdivisions within each corporate limits, in excess of the town site proper, as thus restricted, shall be laid open to ordinary pre-emption; provided there are no town improvements on such excess subdivisions; and that where there are such improvements in an excess subdivision, the tract shall be disposed of only by public auction.

To guard the beneficent provisions of the pre-emption laws from abuse, and restrict them to the great object of protecting only the *bona fide* actual settlers of the country, it is recommended that no one shall be allowed to prove up until after at least three months' settlement, cultivation, and actual residence upon the tract claimed.

The attention of this office has been drawn to the condition of persons claiming pre-emptions, wishing to enlist in the military service of the United States during the war, and who were desirous of ascertaining whether such pre-emptions will be protected during the absence of the claimants.

Entertaining no doubt of the justice of the principle which would protect the interests of claimants under such circumstances, it has received the sanction of this office, with this qualification: that the pre-emptor is an actual resident upon and cultivator of the tract claimed; has filed his declaratory statement, and in all things shall have fully met the requirements of the pre-emption law *up to the period* of his entrance into the military service of the country, for its defence and the maintenance of the government. In that case we hold that the time of actual service will not run against him, so as to result in forfeiture, provided notice of the time of entry into and termination of service is promptly filed with the register and receiver, and such steps are taken as will show a *bona fide* intention to return to the tract by leaving his family on the land, where he has one, and where no family, that the premises shall be placed in proper charge for the pre-emptor; so that residence and cultivation shall be continued when the military service is at an end; and then, where the pre-emption law in all other respects shall have been fully complied with, the grounds of exemption should be established when the proving up takes place as preliminary to payment and actual purchase.

In the event of the death of a pre-emption claimant, the 2d section of the act of 3d March, 1843, has already made provision, by declaring that "where a party entitled to claim the benefits of any of the pre-emption laws should have died before consummating his claim, by filing, in due time, all the papers essential to the establishment of the same, it shall be competent for the executor or administrator of the estate of such party, or one of the heirs, to file the necessary papers to complete the same: *Provided*, That the entry in such cases shall be made in favor of 'the heirs' of the deceased pre-emptor, and a patent thereon shall cause the title to enure to said heirs, as if their names had been specially mentioned."

GRADUATION ACT OF 4TH AUGUST, 1854.

This law cheapens, with certain limitations, the price of public lands which have been in market for specified periods to the actual settlers, who are required, before making the entry, to file their affidavits that the purchase is made for actual settlement and cultivation.

The ruling of the department further requires, that before the delivery of the patents proof shall be filed that such actual settlement and cultivation have been made. This ruling now applies to all such entries made *since* the 3d March, 1857—Congress, by a law of that date, having legalized all entries, *prior to its passage*, in which the purchaser had made the affidavit and paid the purchase money, as required by the said act of 1854 and official instructions; except where such entries were ascertained to have been fradulently or evasively made. Therefore, all claiming under the graduation act of 1854, who have made entries subsequent to the said act of 3d March, 1857, are required to make proof before their patents are delivered, that they have made actual settlement and cultivation on the tract thus entered.

Information having been called for, also, in regard to the course to be pursued, in reference to settlers under this law, who were desirous of enlisting as volunteers in the war, this office has prescribed the following regulation:

In all cases where such affidavits have been duly filed, the entries actually made, and the parties have done no subsequent act to show that such entries are not *bona fide* under the law, the time of their actual continuance in the military service will not be counted to their prejudice, provided an affidavit is filed with the register by the purchaser, stating the date of the entry of the party into the United States service, with the particulars. Thereafter the matter will stand in abeyance. Such entries will not be declared forfeited, until an opportunity is afforded to the purchasers, who may return to their settlements, to show they have done so, and complied with the spirit and intent of said act, by actual settlement and cultivation, which are now prerequisite to the delivery of the patents.

In case the purchaser should be killed, or die in actual service, upon presentation of satisfactory evidence of the fact, and of some act tending to show the *bona fide* intention of the decedent to fulfil the requirements of the law, his claim will be confirmed to his heirs or legal representatives.

Legislation, however, is recommended, providing that hereafter, before parties shall be allowed to enter under the graduation act of 1854, proof of actual settlement and cultivation shall be made to the satisfaction of the register and receiver.

The effect of this will be to prevent abuses and limit the benefits of the law, and disposal of lands at low rates, to *bona fide* settlers.

Military bounty land claims for services during the American revolution, under the war of 1812 *with Great Britain, under act of* 1847, *for services in the Mexican war, and under the other bounty land laws of* 1850, 1852, 1855.

The history of our country shows the liberality of Congress in dealing with the officers and soldiers of every war in which we have been engaged.

The United States assumed the military land obligations of Virginia and, according to the terms of cession, what is known as the *Virginia military district in Ohio* was set apart and appropriated for the satisfaction of warrants issued by that State for services in the continental line. This district comprises an area of 3,709,848 acres, situate northwest of the river Ohio, between the Little Miami and Scioto rivers. It embraces in whole or in part the counties of Adams, Brown, Clermont, Clinton, Fayette, Highland, Madison, Union, Marion, Delaware, Franklin, Pickaway, Ross, Pike, Scioto, Hamilton, Warren, Green, Clark, Champaign, Logan and Hardin, and Virginia military land warrants to the extent of some 3,670,000 acres have been located therein; leaving a residuum of some 40,000 acres, which is the property of the United States, having been granted to the general government by the State of Virginia, December 9, 1852, as one of the considerations and conditions of and for the passage of the scrip act of August 31, 1852, by which all warrants fairly and justly issued and allowed by the authorities of the State of Virginia, prior to March 1, 1852, can be commuted into scrip, and the latter satisfied by location upon any of the public lands of the United States subject to sale at private entry.

No disposition has been made of the vacant, unappropriated lands in this district, being small irregular fractional pieces, and of comparatively little value.

Perhaps the best mode of disposal of these fragmentary parcels would be to allow them to be located with outstanding warrants by conterminous proprietors, in lieu of scrip, or that adjacent proprietors may have the right to purchase at a low minimum, or if not, it has been recommended to turn over the residuum to the State for educational or benevolent purposes.

The act of 3d March, 1855, in regard to Virginia continental line warrants, which had been entered in the Virginia military district, Ohio, allowed until 3d March, 1857, within which the claimants were permitted to "make and return their surveys and warrants, or certified copies of warrants, to the General Land Office," such returns being the basis indispensably prerequisite to the issue of patents.

Now, as there are a number of entries or locations of such warrants actually made before the aforesaid 1st January, 1852, which have not yet been surveyed, it is but just and proper that further time be given for that purpose, otherwise their acknowledged inceptive rights cannot be consummated by a title in form.

Under the scrip laws of 1852, embraced in the foregoing, scrip has been issued for the year ending 30th September, 1861, in virtue of said act, for 80,628 acres; making, with the quantity heretofore issued, a total sum of 938,054 acres. There are now pending before this office claims equal to 153,356 acres incomplete as to proof, and yet to be perfected before scrip can issue.

From a careful examination it is estimated that all outstanding Virginia warrants, liable to commutation into scrip, will not exceed 100,000 acres. This estimate comprises warrants in the Virginia register's office, uncalled for, undrawn; warrants located in Kentucky and Ohio, and lost by interference with senior claims; duplicate warrants, and the balance of 10 per cent. yet due upon warrants commuted into scrip under act 3d March, 1835, which had been satisfied only to the extent of 90 per cent., by reason of the limitation in the land appropriation by that act.

The insurrectionary attitude assumed by the controlling authorities of Virginia, will not, of course, prejudice the claims of loyal citizens, anywhere, lawfully entitled to scrip in satisfaction of their warrants.

In dealing liberally with the earlier obligations contracted by Virginia and assumed by the federal government, the United States were not unmindful of the claims of the officers and soldiers who entered her own service during the American revolution.

We find, therefore, that, by the act of September 16, 1776, Congress promised certain gratuities, in land to the officers and soldiers serving upon their establishment in the revolutionary war, and by the act of June 1, 1796, appropriated a tract of land known as the "*United States Military District, Ohio*," of about 4,000 square miles, or 2,560,000 acres, embracing within its limits, in whole or in part, the counties of Tuscarawas, Guernsey, Muskingum, Monroe, Coshocton, Holmes, Knox, Licking, Franklin and Delaware.

The land warrants granted by the United States, under the act above mentioned, were located exclusively in this military district, until after the passage of the scrip act of May 30, 1830, by which the revolutionary warrants, issued either by the general government or by the commonwealth of Virginia, could be exchanged for scrip, and the same located either in Ohio, Indiana or Illinois.

The United States military warrants could also be located in the said district up to July 3, 1832, when it was provided by an act of Congress that all the vacant lands therein should be made subject to private sale, and the same were disposed of accordingly.

Since that time these United States warrants could either be converted into scrip, under the said act of May 30, 1830, or the same could be located upon any of the public lands subject to sale at private entry, as the parties in interest might prefer. The right to locate, under act 22d June, 1860, however, expires by limitation of law, June 22, 1863, and no warrant of this class has been issued since June 25, 1858, the further issue thereof being then interdicted. There are now on file warrants of this description equal to about 600 acres, incomplete in proof, and but very few outstanding.

WAR OF 1812 WITH GREAT BRITAIN.

By the provisions of the act of May 6, 1812, a quantity of land, not exceeding 6,000,000 of acres, was directed to be surveyed, reserved and set apart for the purpose of satisfying the land bounties promised by the acts of December 24, 1811, and January 11, 1812—2,000,000 acres to be surveyed in the then Territory of Michigan, 2,000,000 in the Illinois Territory, and 2,000,000 in the Territory of Louisiana, between the river St. Francis and the river Arkansas.

By the subsequent act of Congress approved April 29, 1816, it was declared that so much of the act of May 6, 1812, as directed that 2,000,000 acres should be surveyed, &c., in the Territory of Michigan, should be repealed, and that in lieu thereof 1,500,000 acres should be laid off in the Illinois Territory, and 500,000 acres in the Missouri Territory, north of the river Missouri. The great mass of warrants issued for that service has been satisfied under a lottery system, by locations in Illinois, Arkansas and Missouri. The issue of such warrants, however, ceased 25th June, 1858, by limitation, in the act of 8th February, 1854, and even the right to locate them expires 22d June, 1863, that being the limitation fixed by the aforesaid act of 22d June, 1860, which limitation should be repealed.

The aggregate bounty land liabilities already satisfied by the United States, from the commencement of operations to 30th September, 1861, are as follows:

For revolutionary services, located tracts and scrip	8,200,612	acres.
War with Great Britain	4,850,120	"
Canadian volunteers	72,750	"
Actually located prior and up to 30th September, 1861, under Mexican bounty land act of 1847, and the other acts of 1850, 1852, 1855	51,138,970	"
Total	64,262,452	"

SWAMP AND OVERFLOWED LANDS.

Under the acts of Congress of 2d March, 1849, 28th September, 1850; the indemnity act of 2d March, 1855; the confirmatory and indemnity act of 3d March, 1857, and the act of 12th March, 1860, restricting swamp selections to lands not sold or located, and limiting the period within which selections are to be made.

The grant, by act of 1849, was limited to the State of Louisiana. Its purpose was to aid the State in "constructing the necessary levees and drains to reclaim the swamp and overflowed lands," by granting her lands of that class found unfit for cultivation. It contemplates a careful examination of such lands to determine their true character, and provides for the certification of those lands by lists approved by the Secretary. Such lists convey the title and become equivalent to a patent, in virtue of the provisions in the act of Congress, approved 3d August, 1854, vesting "in the several States and Territories the title in fee of the lands which have been or may be certified to them."

This act of 1849 was succeeded by the general law of 28th September, 1850, first extending the swamp grant to Arkansas by special designation, and then declaring its provisions and benefits should "be conferred upon each of the other States of the Union in which such swamp and overflowed lands" may be situated.

The said act of 1850 cumulated the swamp interest in favor of Louisiana, and by its general terms includes Ohio, Indiana, Illinois, Missouri, Alabama, Mississippi, Iowa, Michigan, Florida, Wisconsin, California; the act of 1860 further extending the same to Minnesota and Oregon. From the date of these grants to the 30th September, 1861, the aggregate swamp claims of the said States cover 57,895,577.40 acres, of which 44,481,004.30 acres have been approved, and 32,134,825.01 acres have been duly patented.

The moneys already paid over to the States under the indemnity act of 2d March, 1855, on account of lands sold by the United States, which were claimed as swamps, amount to $276,126 50.

Besides this, the certificates which have been issued as *land* indemnity in new locations, on account of tracts covered by bounty land warrants, cover	145,595.92	acres.
Under the indemnity certificates of new locations issued to *Wisconsin* there have been patented to the State	34,910.75	"
To Indiana	4,839.20	"
There are now pending, and under examination, five claims for cash indemnity in Iowa and Illinois, amounting to $29,938, with a land indemnity for Illinois	17,629.99	"
In addition to these there are now on file for examination and decision eighty-two cases of applications for indemnity in cash, and other lands for Illinois and Iowa equal to about $112,500, ditto	283,800.00	"

On the 2d January, 1861, the conflicting claims for lands in the New Orleans and Opelousas districts, Louisiana, arising under the swamp grants, and the grant of 3d June, 1856, for railroad purposes, were taken up and determined in accordance with the principles laid down in the decision of the Secretary of the Interior of the 8th February, 1860. This action resulted in the rejection of the State's claim under the swamp law to 73,788.70 acres of land, to wit: 45,551.44 acres in the New Orleans district, and the balance, 28,237.26 acres in the Opelousas district.

The authorities of the State were immediately advised of this rejection, and since then the lands were certified to the State under the railroad law.

The interfering claims of the same nature within the limits of one line of the railroads in the State of Iowa, under the grant of May 15, 1856, are now in course of adjustment, "the field-notes of the surveys and other evidences of file and of record" being now under examination. There being four lines of railroad extending from the Mississippi to the Missouri, the work is very extensive, and great care is necessary properly to adjust and determine conflicting interests.

The preparation of the lists of this class of lands as the basis of similar action along the lines of the three other roads is progressing rapidly to completion.

The swamp land lists reported from the State of Alabama, in the St. Stephen's district, on the 6th January, 1861, were taken up as soon as received, and two lists prepared for approval, embracing in the aggregate $204,661\frac{61}{100}$ acres of land, but remain on the files, in view of the position assumed by the State in the secession ordinance. On the 20th April, 1861, a list, numbered 2, of lands in the Washington district, Arkansas, covering 81 pages, and embracing $229,928\frac{71}{100}$ was submitted for approval.

This list remains on the files of the department. There are also on our files 9 patents for swamp lands, viz: 2 for Florida, 2 for Mississippi, and 5 for Louisiana, embracing in the aggregate $351,410\frac{33}{100}$ acres, which have been retained because of the rebellion in those States.

The State of California has not yet presented lists of her lands. This is the case, also, with Oregon and Minnesota, the two last under the act of March 12, 1860.

During the past year there have also been prepared and approved 18 lists of lands, embracing 190 pages, and certified copies of the same have been furnished to the governors of the States in which the lands are situated, as well as to the local land officers of the proper districts.

There have been prepared for the same period 27 patents, each a volume, making of record 178 pages. And lists have been made out as basis for indemnity under act of March 2, 1855, covering 320 folio pages.

In the examination of the suspensions of the numerous cases of entries and locations conflicting with the State's claim, it is necessary to inspect critically the field notes of the surveys, and the topography delineated on the plats. In this action, so far as the lands have been reported since the date of the confirmatory act of March 3, 1857, and disposed of by the government since that date, we hold to the principle that the entry is *prima facie* evidence that the lands are not swamp within the meaning of the law; and unless the field notes and plats show that some contiguous or adjacent river may be the cause of the swampy and overflowed condition of the lands, and this not casual or temporary, the State's claim is rejected and the entry affirmed.

The main difficulty we encounter in our present action under swamp grants relates to the claims continually arising as antecedent to the indemnity acts of March 3, 1855, and March 3, 1857, in which large claims already have been presented in the aggregate, as hereinbefore shown, of $112,500, and 283,800 acres.

These claims have been preferred on ex parte affidavits, not unfrequently in localities where there is no river or other natural cause appearing to produce inundation. In regard to any and all claims of this class, it is due alike to the claimants and to the interests of the United States that the matter should be very thoroughly investigated; and hence this office, with your sanction, subjects all claims of this class to such scrutiny as will remove doubt touching the character of the lands, and secure the ends of justice to all concerned.

RAILROAD GRANTS, ACTS 1856, 1857.

During the fiscal year ending June 30, 1861, there have been certified for railroad purposes, as follows:

	Acres.
To Minnesota	308,871.90
To Michigan	636,061.42
To Louisiana	76,560 45
Making in the aggregate	1,021,493.77

No approvals during the quarter ending September 30, 1861.

The following is an exhibit of the States and the quantities of land under the several grants actually approved to each, up to this date:

	Acres.
Iowa, same as last annual report	2,431,541.00
Wisconsin, same as last annual report	211,063.00
Minnesota, (308,871.90 acres of this approved since last report)	890,775.90
Michigan, (462,650.15 acres of this approved since last report)	1,593,727.42
Florida, same as last report	1,759,160.00
Alabama	1,868,275.00
Mississippi	171,550.00
Louisiana, (76,560.45 acres of this approved since last report)	1,072,405.45
Making a total which has been approved and certified of	9,998,497.77

MINERALS.

No country on the globe can compare with this in teeming mineral treasures, everywhere developed as the administration of the land system advances over the broad surface of the public domain. Besides the precious metals, with quicksilver found in such abundance in California, which alone has yielded since the first gold discoveries over $600,000,000, we have regions rich in those metals in New Mexico, Nevada, Washington Territory, and Colorado.

Then we have the useful metals of copper, tin, lead, iron, and that element of power, coal, profusely distributed over the great valley of the Mississippi, and westward to the Pacific.

Congress, in legislating upon the public lands, has dealt in some specialty with minerals, but yet has prescribed no general rule of administration in regard to them.

In the ordinance of 1785, for the disposal of lands in the "Western Territory," it is ordered that there shall be reserved "one-third part of all gold, silver, lead, and copper mines, to be sold, or otherwise disposed of as Congress shall hereafter direct." Some fifteen years afterwards, authority of law was given for leasing such lands. At a later period, in 1807, the power to lease was confined to lead mines. In the Canadian bounty land act of 1816 lead mines and salt springs were excluded from location, and by an act of the same year, "relating to settlers on the public lands of the United States," no permission to work a lead mine or salt spring could be given without the approbation of the President.

By the act of 3d March, 1829, however, Congress conferred authority on the

President to expose to sale as other public lands "the reserved lead mines and contiguous lands in the State of Missouri"—with this qualification: that at least six months' public notice should be given "with a brief description of the mineral region in Missouri and the lands to be offered for sale, showing the number and the localities of the different mines," then "known, the probability of discovering others, the quality of the ore, the facilities for working it, the further facilities, if any, for manufactures of shot, sheet lead, and paints, and the means and expense of transporting the whole to the principal markets of the United States."

Thereafter, by an act approved 11th July, 1846, Congress ordered "the reserved lead mines and contiguous lands in the States of Illinois and Arkansas and" then "Territories of Wisconsin and Iowa" to be exposed to sale as other public lands, with this exception: that six months' notice be given, with brief description of the mineral region as required by the act of 1829, respecting Missouri; stipulating further that such lands should not be subject to pre-emption until after public offering, and subject to private entry; that upon proof to the register and receiver of any tract containing lead ore, and of being so worked, no bid should be received at less than $2 50 per acre, but if not sold at that price, nor entered at private sale within twelve months thereafter, to be subject to sale as other public lands.

By an act of 1st March, 1847, Congress ordered the organization of the Lake Superior district in the upper peninsula of Michigan, directed that a geographical examination and survey be made of those lands, and conferred authority on the President for the public sale after six months' notice of such land as contained "copper, lead, or other valuable ores," with description of locality of mines, &c., the minimum price at public sale to be $5 per acre, and where not thus disposed of at public action, to be subject to private sale at that price.

By the act of 3d March, 1847, the Chippewa land district in Wisconsin was organized, a geological examination and survey ordered, and the lands disposed of in like manner to those in the Lake Superior district, in Michigan.

Some three years subsequently, however, the act of 26th September, 1850, ordered the mineral lands in the Lake Superior district, in Michigan, and Chippewa district, in Wisconsin, to be offered at public sale in the same manner, at same minimum, and with same rights of pre-emption as other public lands, but not to interfere with leasing rights.

In pursuing the history of legislation in respect to this interest, it is found that Congress, in the act of 27th September, 1850, creating the office of surveyor general of Oregon, providing for surveys and making donations to settlers, directs that "no minerals lands, nor lands reserved for salines, shall be liable to any claim under and by virtue of the provisions" of that act. This embraces the present Washington Territory. Then, in the 14th article of the treaty with Peru, concluded on 26th July, 1851, it is agreed upon that "Peruvian citizens shall enjoy the same privileges in frequenting the mines, and in digging or working for gold upon the public lands situated in the State of California, as are or may hereafter be accorded by the United States of America to the citizens or subjects of the most friendly nations."

Subsequently Congress, in providing by the act of 3d March, 1853, "for the survey of public lands in California, the granting pre-emption rights therein, and for other purposes," directed that "none other than township lines shall be surveyed where the lands are mineral or are deemed unfit for cultivation;" excluding in express terms "mineral lands" from the pre-emption act of 4th September, 1841, and further interdicting "any person" from obtaining "the benefits of this act by a settlement or location on mineral lands."

By the 4th section of the act of 22d July, 1854, to establish "the offices of surveyor general of New Mexico, Kansas, and Nebraska, to grant donations to actual settlers therein, and for other purposes," it is directed that "none of the provisions of" that "act shall extend to mineral or school lands, salines, military, or other reservations, or lands settled on and occupied for purposes of trade and commerce and not agriculture."

In addition to the foregoing enactments, there is the great prospective preemption act of September 4, 1841, the 10th section of which expressly declares that "no lands on which are situated any known salines or mines shall be liable to entry under and by virtue of the provisions of" that act. Such is a brief glance at antecedent legislation respecting lands containing mineral.

In regard to the precious metals in California, New Mexico, Nevada, Washington Territory, and Colorado, we have not such data as will enable this office to propose a properly guarded system by which the government understandingly can dispose of auriferous or of quicksilver lands in a manner that would be just to public and private interests. It is therefore not now proposed to withdraw them by legislation from the state of isolation from sale in which the law has placed them, or from being freely worked, as at present; yet in this trying conjuncture of public affairs, when multiplied demands upon the treasury weigh upon it with unprecedented pressure, it could not be deemed unreasonable, after the hundreds of millions of dollars allowed to be taken free of cost, if the government should hereafter subject the product of such mines to a moderate seigniorage, which it is believed would bear upon capital without prejudice to the individual miner.

In reference to lands embracing copper, tin, lead, iron, and coal, it is suggested that where either mineral is the predominant element in the smallest legal subdivision, such tract shall be subjected to public sale, according to the principles laid down in the acts of 1846 and 1847, with the qualification that the uniform minimum shall be $2 50 per acre at the public sale; that thereafter they shall be liable to private entry at same minimum, say for two years; after which they shall be liable to sale at the ordinary minimum, but not subject to the declining process of the graduation law.

In the geological reconnoissance of the late Dr. Evans in Oregon and Washington immense discoveries of coal fields in that region were made. This great industrial agent is also distributed by the liberal hand of nature throughout the gold region.

The recent discoveries of coal fields not far from San Francisco, and of that scarce and valuable metal, *tin*, but few mines of the latter having been discovered, although known in the early history of man, yet which is now found to exist in the southwestern part of California, within thirty miles of the sea, furnish powerful incentives to capital, promising rich rewards to the enterprising.

Instructions by further legal enactment would enable the department to deal with these large and delicate interests more satisfactorily than can be done under existing laws.

There are, however, now liable to sale at the ordinary minimum of $1 25 per acre, extensive bodies of lands in the Lake Superior region of the upper peninsula of Michigan, ribbed with iron, the depth and extent of which it would be difficult to estimate. Those lands are surveyed into the smallest legal subdivisions known to the law, and may now be purchased even in 40-acre parcels, holding out great inducements to capitalists; for it is known that this most useful of metals is employed to a greater extent for the ordinary purposes of life than all other metals put together. Indeed, it is estimated that a bar of iron worth five dollars, advancing for different valuations according to different forms of utility and cost of labor, finally may reach to the value of a quarter of a million of dollars when fashioned into watch hair-springs, as it then becomes of higher valuation, weight for weight, than even gold itself.

The Lake Superior iron, for ordinary utensils, for instruments, for machinery of less extent up to the stupendous engines used on land or water, or in the manufacture of small arms or ordnance of any size, is, on the score of ductility in manufacturing, and in density, toughness, and native properties of steel, without its equal yet known in this or any other country, as the analysis and test of its quality have already demonstrated.

EASTERN BOUNDARY OF CALIFORNIA.

On the 9th July last the Secretary of the Interior devolved upon this office the supervision and direction of the further prosecution of the field and other operations connected with the running and marking of the boundary lines between the Territories of the United States and the State of California, as provided by the act of Congress approved May 26, 1860. The supervision of this work had previously been exercised by a "superintendent" in the department proper; and it appears by the papers transferred here that the further prosecution of the work in the field, as far as the United States are concerned, was temporarily suspended by the order of the Secretary of April 1, 1861, to the commissioner appointed to conduct that work, who, on the 15th May, was removed from office. Since that change no further steps have been taken for the prosecution of the work, and the action of this office has therefore been confined to the administrative examination of the accounts presented by the late boundary commissioner for the expenses of the service, which examination has been completed, and the accounts sent to the Fifth Auditor of the Treasury for settlement.

It appears that of the $55,000 originally appropriated for this work on the part of the United States the sum of $37,551 19 was placed in the hands of the late boundary commissioner, for the expenditure of which he has presented accounts and vouchers, as well as a statement of outstanding indebtedness, which will nearly or quite absorb the remainder of $17,448 81.

No returns have as yet been made to this office of any of the work connected with this service; but from the correspondence with the boundary commissioner, and the late astronomer, I learn that no progress was made under the commission further than the fixing of one of three initial points, viz: the intersection of the 35th parallel north latitude with the Colorado river. By a letter, however, from the astronomer, dated San Franscisco, August 2, 1861, it appears that after the supervision of the commissioner ceased the former proceeded, by astronomical observations at San Francisco, and the use of the telegraph, in connexion with the commissioner appointed by the State of California, to fix the northern initial point in the Washoe region, and that he was about to proceed to Lake Bigler to fix the initial point there. On the 30th of August the astronomer acknowledged from Lake Bigler the reception of a letter from the Secretary of the Interior relieving him from duty, and reported that the field astronomical duty was completed, and that "it only remains, after the computations are made, to run the line, which any surveyor can readily accomplish."

The original project of this work, submitted by this office to the late Secretary, under date June 8, 1860, copy herewith, contemplated its execution and completion by contract, competent parties having offered so to complete it for the amount originally appropriated, $55,000. That sum would have been ample for the completion of the work in the most accurate and durable manner had it been honestly and prudently devoted to that purpose. Instead of which the whole sum placed at the disposal of the boundary commission, viz: $37,551 19, has not only been squandered, but liabilities to the additional amount of $34,416 21 have been incurred by the persons in charge of the survey, whilst the whole of the astronomical work done could have been easily accomplished for an amount inside of $10,000. Mr. Mowry himself, on the 4th of August, 1860, having estimated the cost of a more extended expenditure on account of the work at only $21,300; to accomplish which, he now claims to have expended, as shown above, as the amount advanced to him by the

department of the Interior	$37,551 19
Liabilities reported	34,416 21
	71,967 40

But, as before shown, $37,551 19 has for the present passed beyond the control of the treasury, and before the final adjustment of the accounts already presented, as well as of those now outstanding, it is impossible to say how much, if any, of the $17,448 81 remaining in the treasury may be applicable to the future prosecution of the work. Nor until the work already done shall have been submitted to this office for its examination can the amount necessary for the completion of the survey be stated with any degree of accuracy; but, in my opinion, the most certain, effective, and economical mode of reaching that completion will be by contract, as originally suggested by this office.

BOUNDARY BETWEEN THE STATE OF OREGON AND WASHINGTON TERRITORY.

By the act of Congress approved 25th June, 1860, "for the survey of the forty-sixth parallel of north latitude, so far as it constitutes a common boundary between Oregon and Washington Territory," the sum of $4,500 was appropriated.

This line is to start from the middle channel of the Columbia river, where it is intersected, in the vicinity of Walla-Walla, by the forty-sixth parallel of north latitude, thence due east to the main channel of Snake river; estimated distance ninety miles.

On the 15th December last this office submitted to the department a proposition for making the survey by contract for $4,000, including all expenses.

The matter was favorably entertained, but coupled with the suggestion that, should the survey be regarded as not of absolute present necessity, its execution, in view of financial embarrassments, might be deferred until an exigency should imperatively demand it, and it has accordingly for the present been deferred.

BOUNDARY LINES BETWEEN THE TERRITORIES OF THE UNITED STATES AND TEXAS.

By an order of 27th July, 1861, the Secretary of the Interior transferred to this office the supervision and control of the business connected with the United States and Texas boundary, and on the 3d August, 1861, I directed the transfer, which has been effected, of the archives and personnel, to the apartments of the General Land Office, in the west wing of the Patent Office building.

The act of Congress approved 5th June, 1858, conferred authority on the President to appoint a suitable person or persons, who, in conjunction with person or persons to be appointed by the State of Texas, were required to run and mark the boundary lines between the Territories of the United States and Texas, the following four lines to be established:

1. Beginning at the point where the 100th degree of longitude west from Greenwich crosses the river, thence north to the point where said 100th degree of longitude intersects the parallel of 36° 30′ north latitude;
2. Thence west with said parallel of 36° 30′ to the point where it intersects the 103d degree of longitude west from Greenwich;
3. Thence south with said 103d degree of longitude to the 32d parallel of north latitude;
4. And thence west with said 32d parallel to the Rio Grande.

The 2d section of the act requires such "landmarks" to be established at the point of beginning, and at the other corners, and on the several lines of the boundary, as may be agreed upon by the President and those acting under authority of Texas, and the 3d section of the law makes an appropriation

of	$80,000 00
The amount expended on the work from its commencement to 30th September, 1861, is	73,250 81
Leaving at that date an unexpended balance of	6,749 19

I learn from a report of the 30th September, 1861, elicited by a call from this office on the boundary commissioner, that his field operations are terminated, and such advances made in office details as justify the expectation of the speedy closing up of the whole business.

In the internal administration of this office the system adopted in regard to the reception of official papers is complete and effective. The general register indicates, in brief, the contents of every document, as daily received, and with references so arranged as to secure promptitude of action.

The posting in our ledgers of sales, selections, military locations, with the adjustments of accounts of receivers, disbursing agents, surveyors, deputies, and others connected with the department, from Washington to the most distant points, has been advanced to recent dates; and although the very large details consequent upon the heavy land operations of ordinary times are diminished by causes of public notoriety, for which an adequate temporary reduction of force has been made, yet the labor incident to the examination and adjudication of contested cases, involving grave interests, is constant, and without material diminution. These are the necessary results of the diversity of land legislation connected with foreign titles, donations, sales, internal improvements, pre-emptions, rural and town site graduation, railroads, swamps, bounty land claims—questions reaching back even to claims of revolutionary times. The growth of our country, the increasing value of land estate, bring to the cognizance of the department for determination numerous causes dependent for adjustment upon a careful analysis of facts, and the application of the principles of land jurisprudence as established by statutes and the multitude of decisions which have been rendered from the earliest times to the present period. A recent classification of unadjusted and suspended cases has been made, and dockets prepared with a view to prompt reference, and to the end that every case may be placed in train of settlement, and be finally passed upon when its record shall have been completed.

The systematic arrangement of the details, and the consideration of the various questions connected with these vast and extended interests, require the employment of a large and very able clerical force, and thorough discipline, therefore, becomes essential to the accurate and prompt prosecution of the business. Experience has demonstrated that the highest degree of usefulness and efficiency can be attained with a force barely adequate to a prompt performance of the labor involved.

Statements illustrative of the foregoing, in detail, accompany this report, being designated in the schedule herewith.

Respectfully submitted,

J. M. EDMUNDS,
Commissioner.

Hon. Caleb B. Smith,
Secretary of the Interior.

REPORT

OF

THE COMMISSIONER OF INDIAN AFFAIRS.

Summary of the Report of the Commissioner of Indian Affairs, of November 27, 1861.

1st. Submits report, referring for details to accompanying documents.

2d. Relates to affairs in the southern superintendency; the efforts of rebels to alienate the Indians therein; the measures adopted to counteract rebel influences; states that communications therewith are interrupted, and that consequently but little accurate information has been received; gives the reasons for his belief that the various tribes of that superintendency have rebelled; and recommends that the usual appropriations be made, stating his reasons therefor.

3d. Gives an account of his visit, in August last, to various tribes within the central superintendency; mentions, particularly, the Delawares, New York Indians, Pottawatomies, Sacs and Foxes, Shawnees, Ioways, Sacs and Foxes of the Missouri, Kaws, Kickapoos and Omahas; his observations as to the wants of those tribes, their condition, advancement in civilization, schools, future prospects, &c., &c.; alludes to operations under act of March 3, 1859, authorizing alienations by Indians of lands allotted to them in severalty; stating the amount of land alienated since March last, and the amount received therefor by the Indians, and states how the sum of $50,000, appropriated for destitute Indians in Kansas, has been disposed of.

4th. Reports condition of our Indian relations in the northern superintendency; fears that Indians along the northern frontier are tampered with by British traders; mentions allotments of land to Winnebagoes, under their late treaty; states the practicability and necessity of negotiating a treaty with the Yanctonias band of Sioux, also with the Chippewas, of Red Lake; alludes to "Farmer Indians" and "Blanket Indians," the progress of the former, and the bitter opposition they experience at the hands of the latter; mentions the subject of schools, and in connexion therewith refers to a report from Mr. Pierson, making suggestions as to the plan of teaching Indians, which the Commissioner indorses; refers to the sale of ardent spirits to Indians by persons outside and along the borders of their reservations, and desires additional legislation; and commends suggestions of Superintendent Thompson, as to a change of the time and places for the payment of Indian annuities, and the stationing of one or two companies of cavalry within the reservation.

5th. Relates to the creation of the new Territories of Colorado and Nevada; states that no appropriations were made for the same, or provision made for the appointment of agents; and that he was under the necessity of using a portion of the Utah appropriation for the new Territories, and assigning one of the agents of New Mexico and one of Utah to duties within those Territories; refers to troubles anticipated in Colorado on account of a deficiency in amount of funds applicable to its wants, and the interruption of communication therewith, but believes that the danger is now averted; states that the amendment of the last Senate to the treaty of the Cheyennes and Arapahoes has been concurred in; recommends the negotiating of treaties with the tribes of the Upper Arkansas river; alludes to the discovery of gold in that Territory, the effect thereof upon the Indians, and the consequent necessity of concentrating them upon suitable reservations.

6th. Alludes to various tribes in the Territory of Nevada, their condition, prospects, &c., and makes recommendations as to the same.

7th. Treats of Indian affairs in Dakota; trouble is apprehended with the tribes of the Upper Missouri; believes the accounts of hostilities in the northwest part of that Territory are gross exaggerations; mentions the Yancton and Ponca reservations, and their good effect in preventing incursions upon the Iowa frontier; the destruction of Indian goods by the burning of one boat and the sinking of another; the measures taken to supply the goods lost, and states that many old settlers in Dakota fear an outbreak of hostilities on the part of Indians, which fear the superintendent believes to be without sufficient cause.

8th. Urges the immediate necessity for troops in New Mexico to repel invaders from Texas, and to reduce hostile Indians to subjection; contrasts the condition of affairs in this with that of the southern superintendency; states that in this superintendency many of the tribes are large and powerful, and are actively hostile; that Arizona is in possession of armed rebels; that some of our agents are driven from their agencies, and that the danger of still more formidable and daring atrocities than any yet committed is imminent; mentions favorably the condition and loyalty of the Pueblos and Mohuache Utahs, and urges at length the propriety of concentrating the Indians of the Territory upon large reservations, giving reasons therefor, and why, in his judgment, their claim to title in the soil should be recognized, and treaties for its extinguishment negotiated, rather than the establishment of reservations by acts of Congress, to be supported by direct appropriations, and alludes to large claims against government on account of depredations committed by Indians, stating the increasing necessity for their immediate adjustment.

9th. Mentions the condition of Indian affairs in Utah as being deplorable in the extreme; the existing reservations are dilapidated and almost despoiled; large appropriations will be required to fit up the old reservations, and establish such new ones as are needed; and calls attention to the subject of the children of murdered parents, held in captivity by the Bannacks of the Humboldt river.

10th. Gives a detailed statement of Indian operations and necessities in California; states that a change of our whole Indian policy in that State is demanded; that government owns no reservations in the southern district; that those of the northern are too small, have been suffered to fall into dilapidation, are crowded by whites, are trespassed upon and occupied by them, and that some reserves should be abandoned, and new ones established; calls attention to the urgent necessity that reservations for the Indians should be established in localities as remote from white settlements as possible; alludes to the "Indian war," and especially to a "pernicious system of indenturing Indians," under color of a certain State law, which is liable to, and by which gross abuses are perpetrated.

11th. Relates to Indian affairs in Oregon; states that in some respects they are encouraging, in others the reverse; the Shoshones, in the eastern part of the State, are troublesome, and a treaty should be negotiated with them, which, in his opinion, would remove the difficulties; a treaty should also be negotiated with the Flatheads; alludes to some murders during the past season by Indians of Warm Springs reservation; mentions favorably the Umatillas and Cayuses; calls attention to the effects of the discovery of gold; also to certain Indians who have gone upon reservations under treaties that have not been ratified.

12th. In Washington Territory much dissatisfaction exists, because of the delay in executing certain treaties. Our Indian policy is yet in its infancy; but is being inaugurated as rapidly as possible, and it is believed will soon be satisfactorily established. Additional treaties are required, and one is particularly demanded with the Nez Percés, on account of discoveries of gold in their vicinity, which has the effect of bringing to their reservation large numbers of whites.

13th. Affairs in the Mackinac agency remain about as at last annual report. The Ottawas and Chippewas desire an advance of $5,000 per annum on the amount of $206,000, which will be due them in 1865; which request the Commissioner desires granted, and is also in favor of diverting to the purchase of cattle, farm implements, &c., $4,000, provided for in the treaty of 1855 for keeping up a certain saw-mill.

14th. Recommends an appropriation to be invested in United States stocks to replace bonds abstracted from the "Indian trust fund;" also to meet the interest falling due on bonds of the revolted States, constituting a portion of said fund; and further, that all bonds belonging to that fund, other than United States stocks, be converted into the latter class of stocks, and an appropriation made to make good whatever depreciation may have occurred since the purchase of the bonds it is proposed to convert as above stated; gives a summary of Indian statistics as to schools, farms, religious institutions, and Indian wealth; asks a further appropriation for the purpose of negotiating treaties with various tribes of Indians in Kansas, Nebraska, and Dakota; and, in conclusion, recurs to and urges the importance of suitable reservations as the only feasible method by which Indians may be civilized.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, November 27, 1861.

SIR: I have the honor to submit the following report, referring you for information in detail, respecting our relations with the various Indian tribes, to the accompanying documents.

Very shortly after assuming the duties of this office, I learned that emissaries from the States that had rebelled against the government were endeavoring to alienate the various tribes within the southern superintendency, and west of the States of Missouri and Arkansas, from the friendly relations which they had until then sustained to the government of the United States. I accordingly addressed communications to the principal chiefs and executive heads of the leading Indian tribes in that superintendency, informing them that whatever unscrupulous and evil men might represent to the contrary, the government would under no circumstances permit the smallest interference with their tribal or domestic institutions by any person in its service, and that no pains would be spared in the endeavor to furnish them with competent and discreet agents, disposed to a strict observance of all the treaties subsisting between their people and the United States, and to invariably promote a good understanding between the red and white races. Being fully aware that the wild tribes in that country were peculiarly liable to be misled by the appeals of wicked and designing men to their passions, prejudices, and cupidity, and that, as a consequence, our agents in their midst might encounter unusual embarrassments, the superior intelligence and good sense of the more civilized tribes were appealed to in behalf of the agents who would be sent amongst them; and the hope was expressed that in the unhappy contest between the government of the United States and the people of the rebellious States, the former would receive the sympathy and support of the Indians, whose rights and institutions would ever be respected. They were also informed that in furtherance of these objects application had been made to the War Department for troops and munitions of war to aid them in the enforcement of the policy indicated, and if need be in the defence of their persons and property.

It is doubtful if the assurances thus given (and from which I entertained strong hopes that at least the neutrality of those Indians would be secured) in every instance reached their intended destination; and I exceedingly regret that in consequence of unprecedented and imperative demands made in other and more important directions upon the resources of the War Department, it was unable to furnish the troops and war munitions as suggested.

Since the despatch of the communications above alluded to, the correspondence of the office with the superintendency for which they were intended has almost entirely ceased; and, as a consequence, I am not in accurate possession of information as to the position assumed by the Indians within its limits towards the government.

A large proportion of these Indians are in comfortable circumstances; are very far advanced in the arts of civilization, and many of them are slaveholders. In consideration of the last-mentioned circumstance, the general erroneous impression prevailing amongst that class of persons as to the views of the present administration and its intended policy in relation to slavery, and the further fact that almost immediately after the breaking out of hostilities between the government and its disloyal citizens, the forts in their vicinity were in many instances basely surrendered to the rebels by the officers in command, and so far as possible all United States troops withdrawn by government from that section of country, it is not surprising that many of the Indians have thrown off their allegiance and espoused the cause of the rebellion; and that many others, finding themselves entirely without support from the government, or the means to repel the violent and aggressive measures everywhere adopted by the rebels towards loyal citizens, have quietly submitted to the condition of affairs by which they were surrounded. Amongst the first to yield to these varied influences were the Choctaws and Chickasaws; amongst the last were the Cherokees, at the head of whom is John Ross, who appears to have resisted the movements of the rebels so long as was in his power. If reliance is to be placed in the following publication, which has been extensively circulated, and so far as I have observed without contradiction, it may be presumed that he has at last reluctantly yielded:

"It is reported that an understanding, under the name of a treaty, has been arranged between the rebellious confederacy on the one part, through Albert Pike, of Arkansas, and Elias Rector and the Cherokee chiefs and headmen on the other part, in which Mr. Pike entitles himself as 'Commissioner of Indian Affairs,' and Mr. Rector, who for several years held the post of superintendent of Indian affairs of the southern superintendency for the United States, as 'superintendent' under him. I am informed, nevertheless, that this treaty does not satisfy the Cherokees of the full blood, who regard it as having been effected by the most scandalous frauds, misrepresentations, and corruptions."

The Rev. Evan Jones, who has for many years resided amongst the Cherokees, and is intimately acquainted with their disposition and feelings, under date of 31st ultimo, writes me in relation to this reported treaty as follows:

"I have no doubt the unfortunate affair was brought about under stress of threatened force, which the Cherokees were by no means able to resist. But greatly as this defection of our old friends is to be lamented, I feel assured that it was an unwilling surrender, and that it only needs a sufficient force to afford them protection to secure a speedy and cordial return to their former allegiance, and an abjuration of whatever reluctant alliance they may, under duress, have formed with the rebel States." He adds the following suggestion, in which I heartily concur: "And in consideration of the unfavorable circumstances in which the Cherokees were placed, I have no doubt the President will be disposed, on their return, to treat them with a generous lenity and forbearance, which will bring about a restoration of that confidence and good understanding which have so long and so happily subsisted between them and the government and the people of the United States." His letter, which is herewith, is amongst the most interesting I have received.

In view of the distracted condition of affairs amongst the Indians of this superintendency, as well as on account of the interruption of communication therewith, occasioned by the occupation of the intervening country, comprising the "neutral land" and the Neosho valley, by armed rebels and banditti, the accustomed annuities have been withheld, not, as has been falsely represented, with a view to their confiscation, but that I might obtain more reliable assurances that they would not fall into the hands of the rebels as booty, and thus the loyal and deserving portions of the tribes interested be defrauded of their just dues.

In submitting the regular estimates for the prospective fiscal year, I deemed it proper to ask for the usual appropriations for this superintendency, notwithstanding the present relations of the Indians therein towards the government. The formidable difficulties by which they have been surrounded will not, I trust, be overlooked by a benignant and paternal government. While they have been plied with promises, deceived by false representations, and terrified by menaces on the part of the rebels, they have beheld the withdrawal of the troops that had so long been amongst them for their protection, the treason of the officers by whom those troops were commanded, as well as of the agents of the government, upon whose counsels they have so long been taught to rely. Indeed, the only matter of surprise to me is, that they have not more readily and heartily espoused the cause of the rebels. From all the evidences in my possession, I feel assured that the degree of loyalty amongst them is far greater than amongst the whites of most of the rebellious States; and it is in this belief that I desire to have the power, whenever circumstances will justify it, to give them evidence of the still kindly interest of the government in their welfare, and its desire for a restoration of the intimate relations which have so long subsisted between them and the United States and their people.

Under direct instructions from the President to submit in person the amendments made by the Senate at its late session to the Delaware treaty of May 30, 1860, I left Washington for that purpose in the latter part of August last. On my arrival in Kansas I visited the tribe at their reservation, and explained to them, in open council, the proposed amendments to their treaty, to which they readily assented, inasmuch as said amendments are designed to give them additional security for the faithful performance, on the part of the Fort Leavenworth, Fort Riley, Pawnee, and Western Railroad Company, of the treaty stipulations.

I found this tribe much further advanced in civilization than I had been led to suppose. A large proportion of them have adopted the customs, dress, and habits of the whites, and are in possession of comfortable dwellings and well cultivated farms. They number at present 1,034, and their personal property averages almost one thousand dollars to each individual. Many of them have become traders with other Indians, both reclaimed and wild, and travel even to the boundaries of California.

The troubles of the times have of late brought most of these wanderers home. Some of the more thrifty of the farmers hold more than a hundred acres subject to the plow, and there is under cultivation land enough to give an average of upwards of three arable acres to each member of the tribe. Last year, like all other cultivators in Kansas, their crops were deficient—this year they will have a surplus for market. The more industrious class are especially gratified in the assignment to them in severalty of their homes, and in being thereby secured in the enjoyment of the fruits of their own industry. There are, however, amongst the tribe many who are unwilling to give up their old habits, and who insist upon continuing their tribal relations, refusing to select for themselves the lands to which they are entitled, and claiming that they will be happier with their lands in common. This idea was insisted upon so strenuously that I thought it best, after giving notice a proper length of time, to discontinue the making of further allotments for the time being, that the disaffected may have time to reflect and profit by the example of those who have been more wise in securing to themselves fixed and permanent homes. I have no doubt that a short time will suffice to satisfy them of their error, and that eventually all, or nearly so, will make selections of land.

An excellent school has been established for some years amongst the members of this tribe, under the patronage of the American Baptist Missionary Union, and the immediate superintendence of Rev. John G. Pratt, and to this, in a great degree, may be attributed the superior advancement of a majority of its members in the arts of civilization. The school buildings are plain and commodious. I was so unfortunate as to make my visit during a vacation of the school, but the fruits of the good seed sown were everywhere apparent.

I availed myself of my visit to the Delawares to visit several other tribes in Kansas, and to convene them in council, that I might hear their petitions and complaints in case they had any to present.

The New York Indians, who have for many years been living by permission of the Delawares on their lands, hope to have their claims adjusted at an early day so as to be enabled to remove to homes of their own. The claims of the New York Indians upon the government have long been delayed, and call loudly for redress. I shall shortly make these claims the subject of a special communication.

My council with the Pottawatomies lasted two full days and was to me particularly interesting. I found them intelligent and apparently happy. They have a reservation thirty miles square, rich in soil, and beautifully located on the Kansas river, near Topeka, the present seat of government for the State. A large majority of the tribe, usually denominated the "mission band," are far advanced in civilization, and are anxious to abandon their tribal condition and have a suitable portion of their lands allotted to them in severalty, and the remainder sold to the government at a fair price, to create a fund to enable them to commence agricultural pursuits under favorable auspices. This policy is, however, strenuously opposed by the wild or "prairie band" of the tribe, who look with jealousy upon any innovation upon their traditional customs. I assured the "mission band" that their desire to adopt the principle of individual property, and to rely for support upon the cultivation of the soil, rather than the chase, was warmly approved by the government, and that in case proper efforts, and a reasonable time for reflection, should fail to induce the rest of the tribe to adopt this mode of life, measures would be adopted to relieve them from the incubus which now binds them to an uncivilized life. This tribe has had the advantage of good schools, there being two upon the reservation—one under the charge of St. Mary's Mission of the Catholic church, and the other under that of the Baptist Church south. St. Mary's Mission school seemed to be in a prosperous condition, popular with the Indians, and doing much good. The female department deserves particular mention for its efficiency in teaching the different branches of education. The exhibition of plain and fancy needle work and embroidery, executed by the pupils, creditably attests the care and attention bestowed by the sisters upon these children of the forest. It was plain to me that their hearts are in the work. I cannot speak so favorably of the school for boys, but assurances were given by the present conductor, who has recently taken charge of it, that its deficiencies should be remedied. Much of the improvement in the mode of life, observable among the Pottawatomies, is attributable to the schools. The Baptist school being closed on account of its connexion with the Southern Board, was not visited, but I was informed that it had been the means of much good.

I visited the Sacs and Foxes and found them a vigorous and powerful race, not one of whom, so far as my observations extended, has adopted the costume of the whites. They accept the theory, but reject the practices of civilized life. The chiefs talked fluently of the necessity of an abandonment of the chase, and their willingness to do so, and to become cultivators of the soil, but with the exception of Ki-o-kuck and some of the half-breeds, I saw little or no efforts to obtain a subsistence in this way, since they prefer to rely upon their buffalo hunts (to which they go annually) and their annuities. My predecessor, Mr. Greenwood, negotiated a treaty with this tribe in 1859, providing for a distribution in severalty of eighty acres of land to each of its members, and the sale o their surplus lands to provide means to establish them in agricultural pursuits under favorable circumstances, and subsequently contracted for the building of houses for the various families upon their several allotments. One hundred and five of these dwellings were built before I entered upon the discharge of the duties of Commissioner. Believing it to be bad policy to build houses for Indians, instead of assisting and encouraging them to build for themselves, and that the prices stipulated were exorbitant, I ordered the work to be suspended. This order created so much dissatisfaction on the part of those Indians whose houses had not been built, that I was induced to compromise with the contractor, and continue the work under other specifications, and at greatly reduced prices.

The advancement of these Indians, I have no doubt, will be greatly enhanced by the establishment in their midst of a good manual labor school.

I had an agreeable interview with the chiefs of the Shawnees, who, in company with their agent, Mr. Abbott, visited me at Topeka. This tribe own their lands in severalty, and I was assured by the chiefs that it is in a prosperous condition. Judging the tribe by the intelligence and gentlemanly bearing of its chiefs, I have no doubt that ere long the government will be relieved of any further care in the management of its affairs.

I met the Iowas, as also the Sacs and Foxes of the Missouri, at the Great Nemaha agency, and in council with them, as well as from their agent, was gratified to learn that they are in a prosperous condition, and to a considerable extent engaged in the arts of agriculture, having almost entirely abandoned the chase. Many of them have good farms and are comfortably situated. The Sacs and Foxes will remove to the lands purchased for them from the Iowas, so soon as the treaty lately negotiated for that purpose is ratified, which I trust will be done early in the approaching session of the Senate.

The Iowas who belong to this agency number about 300 souls, and have 22 acres of land of their reservation under cultivation, the products of which will go far towards their support during the winter.

Upon the Iowa reservation a school is established for the children of that tribe, but the difficulty in securing prompt and regular attendance very much impairs its utility. No schools seem to prosper amongst the Indians unless provision is made to board and clothe the pupils at the institution, and in that case their efficiency is greatly enhanced by the adoption of the manual labor system, as it is of equal importance that they be taught how to work as well as a knowledge of the usual sciences taught in schools.

An act of Congress of March 3, 1859, authorized the alienation by the Indians in Kansas of portions of their lands which had been set apart in severalty under the treaties of 1854. Under this act one hundred and forty-eight sales of lands have been confirmed since the 4th of March last, comprising an area of about eleven thousand and five hundred acres, and have produced for the Indians the sum of $69,219.

By treaties concluded with the Sacs and Foxes of the Mississippi, and the Kaws of Kansas, it is stipulated that after portions of their lands shall have been divided off in severalty to each individual member of those tribes, viz: 80

acres each to the Sacs and Foxes, and 40 acres to each of the Kaws, the residue should be disposed of in such manner as the Secretary of the Interior may prescribe and direct. In order to secure to the said Indians the greatest practical advantage to be derived from the proceeds of these surplus lands, commissioners were appointed to appraise them for the information of the department, which would thus be made aware of their actual or approximate value, and enabled to act independently of any representations of interested speculators. Notwithstanding this preparation it has been deemed advisable to postpone sales for the time being, and await the advent of a period when better prices may be obtained.

Superintendent Coffin and Agent Cutler, who have found it impracticable to discharge their appropriate duties within the southern superintendency, have been detailed to assist Agent Farnsworth in making allotments in severalty for the Kaws, and Agent Hutchinson for the Sacs and Foxes, thus furnishing them with employment, and avoiding the expense of a special commission for those purposes.

From the report of the agent of the Omahas, I learn that their agricultural labors of the present season have been eminently successful. Their crops are large and they have an abundance of every description of produce to meet their wants during the coming winter. They have this season made a commencement in the culture of sorgum, from which it is anticipated they will soon be able to supply themselves with sugar and molasses. Although the tribe numbers less than a thousand souls, they have, in addition to a thousand acres fenced for pasture, six hundred and seventy acres of land under cultivation. They have adopted a regular code of laws, established an internal police, composed of their own numbers; and are evidently making rapid advances in the manners and customs of civilization.

The recommendation of their agent that a competent person should be employed to teach them the art of making baskets, for which they have materials in abundance, is timely, and if adopted will doubtless be of great practical utility. Much of the progress observable in the condition of this tribe, is attributable to their intelligent and exemplary chief, La Flesche, and to the excellent school in their midst. I am happy to state that their loyalty is unquestionable.

In the last annual report of my predecessor, apprehensions were expressed that the wide-spread drought of last year over the central and southern superintendencies would involve many of the Indian tribes in want and suffering, and the intervention of Congress was invoked in their behalf.

To the appeal thus made Congress replied by making an appropriation of $50,000 as a gratuity to the suffering and destitute Indians. Two persons were appointed (their services being paid for out of the fund appropriated) to make a proper distribution of this donation. One of them was despatched to the Osage river and Neosho agencies, and the other to tribes in Kansas and Nebraska. None of the tribes south of the Neosho agency were included amongst the beneficiaries of the fund, since it appeared to the department that they were in circumstances competent to provide for the wants of their own poor. Relief was therefore confined exclusively to those Indians whose needs were most pressing, and the horrors of famine were thereby averted from many of the tribes, amongst whom may be mentioned the Osages, the Quapaws, Senecas and Shawnees.

The famine pressed most heavily upon the Kickapoos, driving the poor to subsist for a period on the small game they could pick up on the prairies, and those who were better off, to sell their cattle and horses to purchase the means of subsistence. The relief furnished by the government was most opportune in point of time, and was received by the Indians with unfeigned thankfulness. This year they have bountiful crops, which, with their Fall annuities, will amply supply all their necessities. The agricultural exertions of these people have met with a success highly gratifying, and each year's experience serves to stimulate them to yet further enterprise. Their efforts at raising wheat having been satisfactory, the agent has purchased for them one hundred bushels of Fall wheat for seed. The tribe numbers in men, women and children three hundred and fifty souls, and own an aggregate of property worth forty thousand dollars, or an average of four hundred dollars to each male adult. A school has been started amongst them, but it is as yet but poorly attended. Several southern Kickapoos, who have been leading a wandering life in the southern part of the Indian territory, have returned to their brethren in Kansas, and profess a disposition to engage in agricultural pursuits.

Of the gross sum appropriated by Congress for the relief of indigent Indians $26,051 66 have been expended, leaving $23,948 34 to the credit of the appropriation, subject to such application as circumstances may warrant and require. It was not deemed expedient to invest the whole amount at once, but to expend it as cases of meritorious character should be presented to the department.

The northern superintendency comprises a large extent of country, and its Indian population is numerous and powerful. Some of the tribes have from time immemorial sustained hostile relations with each other, and though no longer at open strife, occasionally manifest their long continued animosity. The tribes along the northern frontier traffic largely with British traders, and are consequently subject to powerful influences, which it is feared are not always favorable to the development of our Indian policy.

Provision was made in the treaty with the Winnebagoes concluded April 15, 1859, for the assignment in severalty to each individual member of the tribe of the lands composing the eastern portion of their entire reservation, as follows, viz: eighty acres to each head of a family and forty acres to each male person eighteen years of age and upwards, and for the disposition of the remaining land by the direction of the Secretary of the Interior. In pursuance thereof Messrs. Walcott, of Illinois, Sample, of Indiana, and Baker, of Minnesota, were appointed to the duty of taking a census and making the several allotments. Owing to obstructions thrown in the way of the prosecution of this work by designing white men, and the obstinacy of some of the Indians themselves, the commissioners experienced great difficulty in the execution of the duties assigned them. But through the exercise of patience and perseverance worthy of commendation, they eventually overcame the many obstacles in their way and have substantially accomplished the object. The commissioners were further instructed to appraise the residue of the lands preparatory to bringing them into market, but in view of the disturbed state of the country and the resulting financial derangements, it has been deemed proper to suspend their action and await an epoch more favorable to the interests of the Indians for whose benefit the sales are to be made.

In the year 1851 a treaty was negotiated with the Se-see-toan and Wah-pay-toan bands of Sioux, whereby their title to a large tract of country in the then Territory and present State of Minnesota was extinguished. Since that time the Yanctonnais band of the Sioux, (with whom we have no treaties, other than those of amity and good neighborhood,) have persistently claimed that they too have rights in the territory then ceded; but notwithstanding repeated and earnest efforts on the part of this department to ascertain the nature and extent of their claims, with a view to their satisfaction, they have until recently refused to treat, repelled our proffers to that end, and received the offers of negotiation, made by a direct mission from the government, with little less than insolence and contempt. Hitherto they have been a wild and intractable band, manifesting no disposition to abandon in the least their savage mode of life, and have exercised a powerful and pernicious influence upon their neighboring tribes, who are less wild, and are disposed to cultivate more intimate relations with the whites. Recent advices, however, show that at length the Indians of this band are beginning to surrender their prejudices, and are disposed to arrive at a better understanding with the government, they having made overtures to that effect. I am, therefore, of opinion that a council should be held with them without delay, and if possible a treaty negotiated; and it would be well if, upon negotiating a treaty with the Yanctonnais, one were also made with the Chippewas of Red Lake, for which the necessity is urgent. Some of the Sioux who are located upon reservations have made a fair beginning in the customs of civilized life. They have adopted the costume of the whites, and rely for a living upon the arts of husbandry. This class is known as "Farmer Indians," a term which distinguishes them from the other class known as "Blanket Indians." The Farmer Indians are met at each step in their endeavors to attain the arts of civilization by the constant opposition of the "Blanket Indians," who regard them as innovators upon their ancient customs, wanting in manliness, a discredit to their race, and (to use a hackneyed expression) "degenerate sons of noble sires." So great is this opposition that it requires on the part of the "Farmers" the exercise of great moral courage, as well as the countenance and support of the government, through its agents and forces, to enable them to persevere in their praiseworthy endeavors. The policy of allotting lands in severalty to the Indians, first adopted in 1858, is practiced in the Sioux and other reservations in the northern superintendency, and as is well attested, with marked success. Schools have also been established both upon the ordinary and the manual labor system, the result of which is not so gratifying as is to be desired, and clearly proves that a system is demanded for the instruction of Indians widely different from any as yet adopted. The remarks of Mr. Pierson, school superintendent for the united Sioux reservations, in his report to Agent Galbraith, seem to me to be eminently judicious, and worthy the careful consideration of the government, and all those who feel an interest in the actual progress and welfare of the red race. The main features in the plan proposed, which it seems to me are practicable, and would be attended with the good results anticipated, are, 1st, a direct personal advantage to be derived by the pupils from their daily pursuits, which will furnish constant stimulus to perseverance, and as for generations, their pursuits have been physical rather than intellectual, the fact should not be overlooked in any system of education adopted for them; and 2d, to induce them to abandon the costume of savage and adopt that of civilized life, and by this means remove one of the most formidable barriers in the way of their advancement. The reservations of this as well as other superintendencies are grievously infested with liquor sellers. Whiskey everywhere seems to possess for the Indian an irresistible attraction, and having no just appreciation of values, he readily exchanges the most valuable of his possessions to gratify his uncontrolable desire for this stimulant. Unprincipled traders, debarred by law from going upon the reservations, gather upon their borders, and by means of this traffic, which in this case in far worse than robbery, they filch from the Indian his little all, often reducing him to a state of utter want and destitution. To protect him from the cruel avarice of the whites, more effectual legislation should, if possible, be had; but inasmuch as the trade is carried on outside of the reservations and consequently within exclusive State jurisdiction, I know not what remedy to propose, unless some system of legislative comity between the State and federal governments can be devised whereby the traffic may be more effectually suppressed. The magnitude of the evil, and its terrible consequences among the Indians, forcibly commend this subject to the careful consideration of legislators and philanthropists. The suggestions of Superintendent Thompson in relation to a change of the time for the payment of annuities, an increase in the number of the places of payment, and the location of one or two companies of well equipped cavalry, at suitable stations within the superintendency, are timely, and in my judgment should be adopted.

At the last regular session of Congress acts were passed creating out of the then Territories of Utah, Nebraska, and New Mexico, the two new Territories of Colorado and Nevada. It was provided in these acts that the respective governors of the new Territories should act as *ex officio* superintendents of Indian affairs within their limits, but no provision was made for the appointment of agents over the Indians, as in all other existing Territories. As a consequence of this omission, this office was compelled to assign to the Territory of Colorado the agent for the Indians of the upper Arkansas, one of the agents in New Mexico, and to appoint a special agent for the Indians in those portions of Colorado west of the Rocky mountains. The same exigency compelled the assignment of the agent for Utah to the Territory of Nevada; all which will remain until further legislation can be had.

As no appropriation was made for the Indian service of the two new Territories, I was compelled to apportion the appropriation made for Utah between that and the Territories in question in such manner as their respective necessities seemed to demand. The matter of further appropriations I propose to make the subject of a special communication.

The condition of our relations with the Indians of Colorado Territory, as represented by my latest advices from its superintendent, Governor Gilpin, is not as favorable as is to be desired. The session of Congress creating this Territory, and establishing therein a new superintendency, failed to make the necessary appropriations to defray the expenses incident to its altered condition, and owing to this fact, and to the further facts that communications with the Territory have been very uncertain and the distribution of the gratuities has been thereby impeded, the emissaries of the rebels, as well as the disaffected resident whites, have been enabled to make a strong impression upon the minds of the Indians, and at last advices it would seem that, although no acts of hostility on their part have been committed, they were beginning to waver in their loyalty, and it will require, and I doubt not receive, on the part of the government and its representatives, the exercise of prudence and good management to avert the calamities which would attend an alliance of the Indians with the rebels. As the usual supplies have now gone forward, I feel sanguine that the dangers so much apprehended by Governor Gilpin are passed, and that he will be enabled to preserve friendly relations with the tribes of the Territory. A treaty was concluded with the Cheyennes and Arapahoes in February last, by which their title to a large extent of country, including Denver City and the surrounding regions, was extinguished. This treaty was ratified at the late session of the Senate, with an amendment, to which the assent of the Indians was necessary before its promulgation as the law of the land. Measures were accordingly taken to procure their assent, which was readily given. So soon as appropriations are made so that its stipulations may be fulfilled, I have no doubt it will be attended with highly favorable results.

The time has now fully arrived when the formidable tribes between the Upper Arkansas and Texas should be brought within the scope of our Indian policy. For two years the Comanches and Kiowas have rendered the passage of the plains perilous to emigrants, but recently they have manifested a disposition to assume friendly relations with the government, and to be restored to its confidence, and have entered into a preliminary treaty to effect that object. For this reason the presents of goods, which for two years have been withheld from them, have been distributed this year. Thus the travel upon the great plains between the frontier and New Mexico has again been made secure and its worst dangers averted.

The recent discovery of gold within this Territory has drawn thither a rapid tide of emigration, which being precipitated amongst the tribes occupying the gold bearing regions of the Territory, thus mingling the white and red races, without any treaties contemplating so radical a change in their relations, has greatly increased the difficulties in the way of a successful administration of its Indian affairs.

It will be necessary to negotiate treaties with many of the tribes, and as the interior of the country is being so rapidly filled with our people, the demands of justice to the Indians, as well as good policy, require that great care should be exercised in order to secure for them suitable and ample reservations upon which to locate their future homes.

The change from savage to civilized life is very great, and is, at best, beset with difficulties and perplexities. As the ultimate object of all our operations among the Indians sshoud be to better their condition, it will be my duty, as well as of all other employés of the government, to endeavor to secure for them reservations of such dimensions, and possessing such natural facilities in climate, soil, and all other desirable qualities, as will, so far as possible, remove the obstacles in the way of their advancement, nd present to them the greatest inducements to abandon savage and adopt civilized modes of life.

On the 31st of July last Governor Nye held a talk with the Indians located on the spacious and suitable reservation on Walker river, which is occupied by about 700 souls of the Pah-Ute tribe, under the headship of Oderkerno. They appeared well pleased with the purposes of the government towards them, and accepted their presents with promises, apparently quite sincere, to continue on peaceable terms with the white settlers. On a subsequent day a similar talk was held with the Pah-Ute Indians of the reservation on Truckee river, under the head chief Wuna-mucka, a man of much native sagacity, and well disposed towards the whites. They number about 500 souls, are a better description of people than the other Pah-Utes, and are situated on a reservation of a desirable character. Wuna-mucka made satisfactory declarations of his purpose to prevent all interference on the part of his people with the overland stage and the telegraph, which passes through their country between the Atlantic and the Pacific States. Care has been taken to remove white trespassers from these and all the other reservations in Nevada.

The Washoe tribe present a painful contrast to the other Indians, even of this region. They are a poor and degraded set of creatures, living on insects and spontaneous products, and can do but little harm to anybody. No reservation has yet been assigned to them, and Governor Nye strongly discourages their location on the Pyramid Lake reservation.

In the opinion of the same officer, the Pah-Utes should be placed on the road to a higher civilization without further delay, by a judicious supply of farming implements and cattle, and articles of domestic utility. Schools should be established on the reservations as in other superintendencies.

Indian affairs in Dakota for the year past have been satisfactory. In the Upper Missouri agency, where the tribes have no treaties with the United States which confer annuities upon them, but only treaties of amity from which they derive but a few goods annually, the security for continued peace is not strong. It would be good policy to locate these Indians within reservations at an early day. The numerous rumors of alleged hostilities by the Indians on the settlements to the northwest of Dakota are untrue, or at least gross exaggerations. In northwestern Iowa it is known that for several years past Indian incursions have been frequent, but their depredations during the past year have been comparatively unimportant, which is mainly due to the vicinity of two Indian reservations, (the Yancton and Ponca,) which operate as a protection to the white settlements not easily appreciated by those who have never resided upon the Indian frontier. A few bands of Santees, who do not participate in the distribution of annuities to Indians residing on the Minnesota river, are the only actively hostile Indians in that region. A boat containing annuity goods was, with its contents, accidentally destroyed by fire, and communication with Fort Benton thereby suspended, and consequently no report has been received from the agent in that quarter. I was so fortunate, however, as to be able to replace the goods that were lost by this accident through the courtesy of Messrs. Chouteau & Co., of St. Louis, who have a large stock in that country, to which they allowed me to resort, upon condition that goods similar in quality and quantity to those necessarily used shall be supplied to them upon the resumption of navigation in the spring, so that by this arrangement no trouble with the Indians of that vicinity need be apprehended. The Poncas have but recently gone upon their reservation. They have already some three or four hundred acres of land ploughed, and there is reason to believe that in the course of another year their condition will be materially improved. The Yancton Sioux are doing well; they have about eight hundred acres of land under cultivation, and it is believed that the whole tribe, of which a few bands have hitherto been refractory, will very shortly settle upon their reservation. A portion of the goods intended for this tribe, estimated at from four to six thousand dollars in value, was accidentally destroyed by the sinking of a boat, and some trouble with the Indians was anticipated in consequence of the loss, but by the prompt action of their agent the danger has been averted. Some apprehensions of an outbreak among the Indians of Upper Missouri have been felt by many old settlers in Dakota, but the superintendent is confident that it will be prevented.

The condition of our relations with many of the tribes of the superintendency of New Mexico demands the earliest practicable interposition of the military force of the government, not only to preserve the lives and possessions of our resident citizens, but also to reduce the hostile tribes to subjection, punish them for the barbarous atrocities they are continually committing, and, in addition to this, to repel rebel invaders from Texas on the south and the Comanches on the east. Unlike the southern superintendency, which is almost exclusively occupied by Indian nations and tribes, a majority of whom are more or less advanced in civilization, and are not engaged, so far as we are reliably informed, in actual hostilities, this superintendency is checkered here and there with white settlements, which, by the withdrawal of the United States forces, are left almost without the means of defence. Several of the tribes within its borders are wild and warlike, are actively hostile, and, on account of their numerical strength, are truly formidable. Arizona is in armed occupation of rebels from Texas, who threaten to extend their incursions further north, and do not scruple to aggravate the hostilities already subsisting between the white and red races. The withdrawal of the overland southern mail is believed by the Indians to have been a consequence of their hostility, and this supposed success has greatly encouraged and emboldened them, so that there is ample reason to fear that they will engage in still more formidable and daring atrocities. In many parts of the Territory our agents are driven from their agencies, and thus all present control is lost and the Indians left to the unrestrained commission of their depredations.

This condition of affairs ought not to be allowed to continue, and I earnestly hope that ere long the power of the government may be brought to bear upon them, and the peace and quiet of the Territory thereby restored. The most formidable of the tribes thus arrayed in hostility towards our people are the Apaches and the Navajoes. On the part of the former hostility is open and undisguised, while the latter are more insidious, but it is believed not less dangerous. In gratifying contrast with the position assumed by the Apaches and Navajoes may be mentioned the Pueblos and Mohuache Utahs, with whom our relations are as satisfactory as at any former period. The Pueblos are peaceable and loyal. They are to a considerable extent engaged in agricultural pursuits, and it is believed that a small exercise of the fostering care of the government in establishing and maintaining good schools in their midst, and in locating them upon a suitable reservation, will in a very few years entirely reclaim them from savage life, and cause them to become useful and good citizens. The Mohuache Utahs are formidable in numbers, and are enterprising, intelligent, and loyal to that degree that they have tendered their services for the protection of white settlers against the assaults of rebels as well as savage foes. They, too, are highly meritorious objects of our care, and afford abundant evidence that our efforts in their behalf will meet with an ample reward.

I desire to call your attention to the necessity of concentrating the Indian population of this superintendency upon suitable reservations. The Mexican government, formerly in possession of this Territory, differed widely from ours in its policy and views in relation to the rights of the Indians in the soil. That government regarded itself as the absolute and unqualified owner of the soil, and held that the Indian had no usufructuary or other rights therein which it was in any manner bound to respect. Hence it negotiated no treaties with the Indians for the extinction of their title to land, and in pushing forward new settlements made no provision for their welfare or future homes. It has been claimed that inasmuch as Mexico asserted and exercised this absolute and unqualified right of ownership in its soil, we, in acquiring from that nation the Territory in question, succeeded to its rights in the soil, and are therefore under no obligation to treat with Indians occupying the same for the extinguishment of their title. If this position is correct, it would seem to follow that the policy so long pursued by our government in negotiating treaties with Indians, and thus extinguishing their titles to land within our borders, has been radically wrong; for as the Indians occupied the territory of both nations prior to the advent of the European races upon this continent, it seems clear that they held lands in the territory of Mexico and the United States by precisely the same tenure. Be this as it may, the necessity that the Indians of this superintendency shall be concentrated upon suitable reservations is imperative. The rapid spread of our population has reached this as well as our other Territories. New settlements are everywhere springing up; the Indians in large and imposing numbers are in their midst, leading a wild and predatory life, gaining a scanty subsistence by the chase and an irregular and imperfect cultivation of the soil; a constant source of irritation and vexation to the whites, and it would seem in a condition utterly at variance with the prosperity, welfare, and improvement of themselves or their white neighbors. To cure all these evils; to foster and protect our own settlements; to secure the ultimate perpetuity of the Territory, and a speedy development of its resources, and to reclaim and civilize the Indians, but one course is, in my judgment, left, and that is the concentration of the Indians upon ample reservations suitable for their permanent and happy homes, and to be sacredly held for that purpose. To effect this desirable object two methods are suggested; the one is to set apart from the public domain ample and suitable reservations, and by liberal appropriations provide a fund whereby the Indians may be located thereon, and enabled to commence their new mode of life under favorable circumstances; the other is to acknowledge that they hold the public domain by the same tenure that Indians held in other Territories, negotiate treaties with them for the extinguishment of their title, and thus provide a fund for the purposes above mentioned. That the latter method is preferable I have no doubt, for the reason that whichever may be adopted will be attended with the same expense; while the latter, by a treaty, to which the Indians are themselves parties, forever silences all claims they may have to that part of the public domain not reserved by them, for which they will feel that they have received a fair equivalent. Besides, they will not feel, as would be the case if the former method is adopted, that they have been removed by irresistible power from the lands over which they and their ancestors once held absolute dominion, and that to make room for the white man they are robbed of their hunting grounds, crowded upon scanty reservations, and compelled to subsist upon his bounty.

It may well be suggested, in support of the plan for which I have thus ex pressed a preference, that while the act of transfer of the territory occupied by these Indians not only reserved to them all the rights which they had obtained by the consent of the Mexican authorities, it also placed them within the protection of the general policy established by the United States for the government of other tribes. It would seem to be an anomaly to pursue that policy as to a portion of the tribes and withhold it from others, and would produce confusion in the working of the system. That one or the other of these methods should be adopted, not only in this but also in the Utah and California superintendencies, is demanded by every consideration, whether it be of prudence, economy, or enlightened statesmanship, and I therefore trust that this subject may be presented to Congress at its approaching session, and its consideration of, and appropriate action upon the same earnestly solicited. One other subject of complaint in this superintendency demands immediate attention. It is the indemnity claims of many of its citizens for losses sustained by Indian depredations. These claims are numerous, and in the aggregate large. They extend over a series of years, and some of them are exceedingly complex and difficult of adjustment. As each year's delay only serves to add to the difficulties of a fair and just settlement of these claims, measures ought at once to be taken for their investigation, and a fund provided for their payment.

Repeated references have been made by my predecessors to the unpromising condition of Indian affairs in Utah Territory. This is ascribable to several causes, amongst the chief of which are the natural poverty of the country, the destruction of the wild game by the introduction of white men, and the selfish policy of the Mormon people. It thus follows that the bulk of from 15,000 to 20,000 of the original proprietors of the country, deprived of their accustomed means of subsistence, are driven to the alternative of laying violent hands upon the property of the whites, or of perishing by want. In the pursuit of its duty to prevent, to the best of its ability, either of these results, the government has met with no little difficulty and obstruction, due, in part, to the vastness of so poor a region, and in part to the fanatical perverseness of the white inhabitants, who are almost wholly subjects of the Mormon hierarchy. The late superintendent and agents, impressed by spectacles of gaunt famine continually presented to their eyes, seem to have thought it necessary not only to distribute all the funds furnished them for supplying the wants of the Indians, but also to strip the reservations of their farm implements, teams, animals, and even furniture, in order to obtain additional means for the same pressing purpose.

From several causes, the principal being, perhaps, Mormon intrigue, the Indians had become, during last winter and early spring, exceedingly hostile to the whole white race, when the late superintendent, as he states, by gathering them in council at various places, and making them presents of provisions and other necessaries, succeeded in calming their fury.

No other hope of adequate remedy for the state of Indian affairs in this country presents itself than the vigorous resuscitation of the reservation system, in the light of such improvements as experience has suggested. One of these appears to be the recognition of cattle husbandry as a means of subsistence for the Indian, equal in importance with the tillage of the soil. In the comparatively rainless countries west of meridian of 100 degrees agriculture must ever be conducted under circumstances of disadvantage and risk as compared with regions where rains are frequent or periodical. To furnish the Indian, who is naturally far more of a herdsman than a cultivator, with a source of reliance in those not unfrequent seasons when crops almost wholly fail, is to do for him one of the greatest possible benefits, since it closely assimilates the provision made in his behalf by nature herself ages before the appearance of the white man upon the continent.

The present officers of the department in Utah commenced the discharge of their duties under discouraging circumstances. They found desolation extend ing even to the office room of the superintendent, and the reservations swept of agricultural means and appliances with which they had been furnished. To a great extent the Indian residents had also deserted the reservations, and had scattered themselves in various portions of the Territory in search of the means of subsistence. Interviews held with some of the chiefs of important tribes developed the wish of the Indians of the Territory generally to come under treaty relations, and to cede their lands to the United States, thereby securing to themselves quiet homes; and the means of comfortable subsistence.

These chiefs will stipulate to be held responsible for all depredations that may thereafter be committed by any of their people, and that the damages shall be deducted from their annuities.

To meet the various exigencies of the next year's Indian service in the Territory, to assure the protection of the overland mail and telegraph lines, and to re-equip the farms on the Spanish Fork, Corn creek, and San Pete reservations, will require, in the judgment of the superintendent, at the minimum, an appropriation of $150,000. I would respectfully refer you to what the late Superintendent Davies repeats from San Pitch, chief of the Snake Digger Indians, relative to the children of murdered emigrants now held in captivity by the Bannacks of the Humboldt river.

Owing to the remoteness of California and the length of time necessarily employed in transmitting communications to and from the same, the department is compelled in a great measure to rely upon the sagacity and integrity of the superintending agents located there, and for the same reason those agents are often under the necessity of assuming grave responsibilities, as to await instructions would be, in many instances, to allow the opportunity to prevent flagrant wrongs, correct existing abuses, and secure valuable ends to pass unimproved.

I desire to call especial attention to the reports of the superintending agents of the two districts, (northern and southern,) into which, for Indian purposes, the State has been divided. From those reports it will be seen that a complete change in the management of our Indian relations is demanded. A change involving the breaking up of some of the existing reservations; the correction of gross and palpable wrongs upon others; the establishment of new reservations, as I trust will be the case, upon a far more ample scale than any heretofore established; the furnishing of an almost entirely new outfit of tools and other necessary articles to those established and to be established; and a thorough investigation, and, if possible, a correction of outrageous wrongs perpetrated, under color of law, against not only the property but also the persons and liberty of the Indians. To effect this change will require time, a considerable expenditure of money, and the exercise, on the part of all persons connected therewith, of great care, patience, and circumspection.

The remarks made under the head of the superintendency of New Mexico upon the subject of Indian reservations, and the methods by which they should be established, apply to California with peculiar force. Within the southern district of the State not a single reservation exists that is not claimed or owned by the whites, nor is there one that is at all adequate in extent to the wants of the Indians. They appear to be simply farms, a few hundred acres in extent, about and upon which the Indians are expected by hundreds, and, in some instances, by thousands to congregate, and from which a small portion of their wants are supplied. These farms, in several instances, are in the midst of regions thickly inhabited by whites, to whom the Indians prove a constant source of annoyance, and by whom they are prevented from wandering over large tracts of country, as they are by nature and long habit so strongly inclined to do. Thus the chief objects for which reservations are desirable are frustrated. Instead of being a retreat from the encroachments of the whites upon which they may concentrate and gradually become accustomed to a settled mode of life, while *learning* the arts and advantages of civilization, and which at a proper time is to be subdivided and allotted to them in severalty, and thus a home furnished to each of them, around which shall cluster all those fond associations and endeerments so highly prised by all civilized people, and they in a condition to appreciate the same, the reservation is a place where a scanty subsistence is doled out to them from year to year; they become accustomed to rely upon charity rather than their own exertions; are hemmed in by people by whom they are detested, and whose arts and customs they have neither the power nor inclination to acquire, and thus they become vagrants and vagabonds, accomplishing for themselves no desirable end, and are a nuisance to their white neighbors.

Within the northern district the reservations are owned by goverment, but with the exception perhaps, of that of Round valley, they, too, are insufficient in size, and in consequence of their occupation under one pretext or another, by whites, are of no more real utility to the Indians than those of the southern district. At Nome Lacke reservation there were at one time between two and three thousand Indians, but owing to encroachments of whites upon the reservation, their settlement around its borders—the evils which invariably attend immediate contact of the two races—a pernicious system of indenturing the Indians to the whites, and the further fact that the farm has been suffered to fall into decay, and the buildings to become dilapidated, there are now not exceeding two hundred in all, the remainder having wandered off because it was no longer possible to remain. This reservation, judging by the report of the superintending agent, ought to be abandoned, for the reason that it has not the natural facilities to adapt it to the purpose intended, inasmuch as there is no fishery, and the timber is twelve miles distant, objections which at the time of its establishment were not so insuperable as now, because at that time all the adjacent region was not occupied by whites. I have mentioned this reservation particularly, because it combines objections which, to some extent and in greater or less degree, exist with reference to all the others, and is a forcible illustration of the necessity that all Indian reservations should be large in area, and so located as not to be liable to come in immediate contact with white settlements, which contact is seldom or never beneficial, and in many instances causes an actual degradation of the Indians.

There are, as I am informed, many unsettled claims for expenditures made in behalf of the Indian service in California, which require immediate attention. Measures must also be taken to cause the removal of whites from such reservations as it is deemed advisable to retain, and to provide for the payment of such improvements thereon as are of utility to the Indians.

Under a law recently passed by the State legislature, large numbers of Indians have been nominally "indentured" for long terms of years to white masters. This "indenturing," if my information as to the character of the law and its practical operation is correct, is but another name for enslaving those who are so unfortunate as to become its objects, since, by its operation, Indians of any age under thirty, and of either sex, without their consent, or, if they be minors, that of their parents, are "indentured" to white masters, who thereupon become entitled to "the care, control, custody, and earnings" of those thus "indentured," whom, in consideration thereof, they undertake to "feed, clothe, care for, and protect," but no security is required that this undertaking shall be performed, nor are any penalties prescribed for its violation. A law like this is subject to enormous and outrageous abuses, and may be made the means by which the most wicked oppression may be perpetrated, and I cannot believe that it was enacted with due consideration and deliberation, or that its provisions will not, at the earliest practicable moment, be so amended as to prevent its conversion by wicked and unscrupulous men to the purposes of a cruel oppression, disgraceful alike to a community in which it is permitted, and to a State under color of whose authority it is perpetrated. I wish, however, to be understood as not objecting to a law for the "indenturing" of Indian youths to discreet and respectable whites, with such safeguards incorporated therein as will secure for the Indian apprentice the same benefits and advantages as are deemed indispensable in the case of white children. The law to which I have alluded is (if my information is correct) grossly deficient in this respect, and all proper remedies should at once be resorted to to rescue those who, under color of its provisions, have become victims of the avarice of base and designing men.

The statement, as made by Superintending Agent Hanson, of the causes which led to the employment of United States and volunteer forces against the Indians in the frontier portions of Humboldt and Mendocino counties, and of the crimes that are committed in the wake, and, as seems to be the case, under the *quasi* protection of those forces, presents a picture of the perversion of power and of cruel wrong, from which humanity instinctively recoils. This so-called "Indian war" appears to be a war in which the whites alone are engaged. The Indians are hunted like wild and dangerous beasts of prey; the parents are "murdered," and the children "kidnapped." Surely some plan may be devised whereby the Indians may cease to be the victims of such inhumanity, and the recurrence of scenes so disgraceful rendered impossible.

Representations as to the causes of and manner in which this "Indian war" is being prosecuted, as also in relation to various other alleged abuses in the Indian service in California, Oregon, and the Territory of Washington, induced me, with your approbation, and at the urgent request and upon the recommendation of several prominent public and private citizens, to appoint, in August last, Dr. Elijah White, represented to be a gentleman of large experience in Indian affairs, as special agent, to visit those places and investigate the various subjects of complaint, and I am anxiously awaiting his report in the hope that his mission may be productive of good results.

From what has been stated in relation to the condition of the Indians in California, and from the papers herewith relating to that subject, it will be seen how great is the necessity that the subject should receive the earnest consideration of the approaching Congress, to which I trust it will be commended, and its wisdom and liberality earnestly invoked in behalf of the Indians, so that adequate remedies may be provided to cure the deplorable evils by which they are surrounded.

Indian affairs in Oregon continue to be discouraging in some respects, and gratifying in others. The incompleteness of the arrangements of some of the reservations, and the dilapidated condition into which the buildings and other improvements have been suffered to fall, have furnished evil-disposed persons with a plausible pretext to assert to the Indians that the government of their "Great Father" is destroyed, and that no more annuities will be paid them. The consequence of this is that the Rogue River Indians have abandoned their reservation, and that the Indians of other reservations are threatening to follow their bad example. Measures, which it is hoped will prove successful, have been taken to compel the return of such as have wandered away, and, so far as possible, counteract the effects of the wicked representations by which the trouble has been caused. With the exception of a series of robberies and murders committed in the neighborhood of the Dalles, by some Indians of the Warm Springs reservation, who were promptly surrendered by the tribe to be dealt with according to law, the affairs of that reservation are progressing with quiet and regularity. On the Umatilla reservation a remarkable degree of industry and consequent prosperity is noticeable, which is to be credited principally to the Cayuses, and secondarily to the Umatillas. Although the Cayuses number *less* than 400 souls, they own property valued at more than one hundred thousand dollars. They are justly considered the most advanced of all the tribes in Oregon. On this reservation, besides the two bands already named, there is a band of Walla-Wallas, less industrious and provident than the others. These bands unitedly exceed one thousand in number, and would be much benefited by the establishment of a school among them. The discovery of gold in this region has the unwelcome effect of bringing to it many vicious men of the white race, whose trade in spirituous liquors is highly prejudicial to the Indians. They establish themselves just outside the reservations, and present a case on the Pacific coast similar to that already noticed in the northern superintendency, as requiring additional legislation by Congress, or the State government, or both. On the Siletz reservation agricultural operations are quite extensive. More than 1,200 acres are under tillage, of which nearly one-half was this year devoted to an oat crop, about one-fourth to wheat, and most of the remainder to potatoes. There is a school on this reservation, but difficulty is experienced in securing the attendance of the children. Though more than two thousand Indians are now collected on this reservation, only two hundred and fifty-nine of them are under confirmed treaty relations. This circumstance was regretfully alluded to by the agent in his report for last year, and reference to it is repeated in his present report. It was thought best by the late superintendent, with whom the present concurs, that the treaty of August 11, 1855, should not be ratified, and he was likewise of opinion that the formality of a new treaty is unnecessary, although he earnestly commended to the justice of Congress the case of those 1,766 Coast Indians, who had, in good faith and reliance upon the government, relinquished their native haunts and removed to the reservation. He suggested that annuities should be extended to them sufficient to purchase such articles and procure such comforts as are enjoyed by the small minority under treaty. My views upon this subject have been elsewhere expressed. There are several tribes of Indians in Oregon of formidable power, with some of whom we have negotiated no treaties, and with the others our treaties are not sufficiently comprehensive.

The Shoshones, or Snakes, and the Flatheads, are wealthy and powerful, and can cause their hostility to the remoter settlements and the overland emigration to be severely felt. Hence the pressing necessity of some speedy arrangement with them, which with the Snakes it is suggested should be (as a temporary measure) a treaty granting annuities in consideration of a right of way across their country.

For the Flatheads, who give expression of something like jealousy that they have not received the attention of our government, it would be well to gather a council, in which a more definite knowledge of their wishes and expectations could be arrived at, and stipulations looking to the safety of emigrants and miners agreed upon.

The Indian affairs in the distant Territory of Washington have not as yet assumed that degree of regularity and system which is desirable. The recent organization of the country, the ruggedness of its surface, and its paucity of white inhabitants, are impediments to the rapid development of our Indian policy, which will require no little time and patience for their removal. It is probably for this reason that the treaties of January 1, 1855, with the Makah tribe, located in the extreme northwest corner of the Territory, and that of January 25, 1856, with the Qui-nai-elts and Quil-leh-utes, have not been carried into execution. Much dissatisfaction exists on the part of these tribes on account of the prolonged delay, and they are beginning to lose confidence in the good faith of the government; but I am assured by the late superintendent that so soon as we shall have executed the stipulations on our part of said treaties, for which arrangements are now completed, there will be no difficulty in the way of a speedy and full restoration of confidence and content. Goods have, this year, for the first time been distributed to the D'Wamish, Suquamish, and Skallams tribes, which tribes, it is represented, are mainly located upon their reservation, and, so soon as agency buildings can be erected, will be fairly under our protection and control, and it is to be hoped in a condition favorable to their welfare and improvement. A comparison of their own condition with that of the tribes who are living upon reservations under treaties with the government, has induced a change in the views of the Chihalis, Cowlitz, and Chinook Indians, who in 1855 refused to enter into treaty relations. They now desire to come under the care and protection of government, and to be located upon a reservation. Should their desires be gratified, a tract of land on the Chihalis river, at the mouth of Black river, which has been surveyed, is deemed a suitable reservation for the Upper Chihalis and Cowlitz bands; and it is believed that the Lower Chihalis and the Chinooks may, without difficulty, be associated with the Qui-nai-elts and Quil-leh-utes upon their reservation.

Several of the tribes in this Territory are making fair progress in agricultural pursuits, amongst whom may be mentioned the Yakamas. This tribe has a school, under the direction of Mr. Wilbur, which is highly spoken of. Upon the Tulelip reservation there is also a school, under the care of the Rev. E. C. Chirouse, which it is reported is doing much good.

The whole number of Indians in Washington Territory with whom treaties have been negotiated and confirmed is estimated at about fourteen thousand. Besides these, there are many tribes and bands with whom treaties should be negotiated as early as practicable, and it is believed that the most of them may be associated with the Indians of existing reservations, with whom they are known to possess strong affinities.

The rush of white persons, probably to the number of ten thousand, into the country of the Nez Percés, in search of gold, of which it is reported that valuable discoveries have been made, will require on the part of our agents great vigilance and care in order that collisions of the two races may be prevented, and it will probably be necessary to negotiate an additional treaty with that tribe, in order to adapt the location of their reservation to the circumstances now surrounding them, and so widely differing from those in existence at the time their present treaty was negotiated. Up to the present time no difficulties have occurred so far as I am informed. In my comments upon the Washington superintendency, I have mainly relied for facts upon the report of the late superintendent, that of the present incumbent not having yet been received.

Little change has taken place in the affairs of the Mackinac agency during the past year. The greatest evil with which the Indians have to contend is whiskey. Wherever they are situated so as to be clear of its pernicious influence their improvement is manifest. Those who live on the borders of the great lakes divide their time between the old pursuits of fishing, hunting, and trapping, and those of the interior depend on the cultivation of their farms. Besides the ordinary farm products, they manufacture large quantities of maple sugar, of which they have a considerable surplus for market. Their schools are subject to the same influences which are common to Indian schools, of which the most discouraging is the apathy of the parents towards the mental improvement of their children.

Agricultural production would be much stimulated amongst the Ottawas and Chippewas of this agency by a supply of farm implements and working cattle. But little remains to them of the $75,000 granted in the treaty of 1855, and they ask an advance of $5,000 per annum, for objects of husbandry, from the $206,000 that will be due them in 1865, for which I deem it proper to ask an appropriation, as I have no doubt that a moderate annual advance would be of more real benefit to them than the payment to them of so large a sum at one time. Their agent also proposes to divert to the purchase of cattle and farming tools the sum of $4,000, provided for in the treaty of 1855, with the Chippewas of Saginaw, Swan Creek, and Black River, wherewith to keep up a saw-mill. The mill he considers to be badly located and altogether an unproductive object. In this recommendation I fully concur.

The Indians of this agency are desirous of obtaining certificates of title to the lands they hold, and others refuse to settle down on their allotments until the titles have been furnished them. Evil-disposed white men use the withholding of these evidences of title to create uneasiness in the Indian mind, and, in my judgment, justice imperatively demands that the rights of the Indians in this respect shall be recognized and secured at the earliest practicable moment.

It is gratifying to know that the Mackinac Indians vie with the great majority of their red brethren in their warm sympathy with the cause of the government of the United States, and this good will numbers of them are eager to manifest by enlisting in the military service of the country, should the government so desire. Without exception, they are loyal to the cause of the republic.

By treaties made from time to time with various Indian tribes, large tracts of land were ceded by those tribes to the United States, and a consideration therefor was provided; the amount of this consideration, in whole or in part, it was stipulated should be invested for the benefit of the Indians either in stocks of the United States, in stocks of the individual States, or in other safe stocks, generally at an interest not below 5 per cent. In pursuance of these treaties, such contemplated investments were from time to time made, and the whole charge and responsibility connected therewith, which were first concentrated by the act of 1837 in the Secretary of War, were subsequently, by the act of 1849, creating the Department of the Interior, transferred to the Secretary of the Interior. Those successive investments of moneys, paid by the United States for Indian lands, brought numerous State and other bonds into the custody of the Secretary of the Interior, which were held as a "trust fund" under his management.

By a report of the select committee of the House of Representatives, (No. 78, 36th Congress, 2d session,) it is shown that an abstraction from the place of deposit of the bonds constituting this fund, and amounting in the aggregate to $870,000, was made during the incumbency of your predecessor. Those bonds have not been restored to the Department of the Interior, nor do I suppose it likely they ever will be. The question then arises, on whom must the weight of this abstraction or defalcation fall? Shall the Indians, who are the dependent pupils and wards of this government, and who have parted forever with the lands for which these bonds were the consideration—shall they be made the sufferers by the delinquency of confidential officers in the Department of the Interior, with whose appointment they had nothing whatever to do? The United States, when they engaged to manage the investments for the Indians, assumed all the responsibility which pertains to the offices of guardian and custodian. A great government like that of the United States will not cast a shadow upon its dignity by a question about that responsibility. Taking it for granted, then, that the fund so taken in trust by the government will be held to continue intact for Indian benefit, I respectfully recommend that measures be adopted by Congress to insure to the Indians the value of the bonds abstracted; and, further, that a law be enacted granting power to the Secretary of the Interior to dispose of all the State stocks now held in trust by the government, and that the amount for which they were purchased be reimbursed to the Indians by an investment in stocks of the United States for Indian benefit. It would also be advisable to provide, in the same law, that all Indian funds hereafter committed to the United States for investment shall be invested in United States stocks only.

On this whole subject I have only further to remark, that besides the manifest justice of the foregoing considerations, the measures proposed commend themselves in the light of a wise policy. When the Indian is taught to feel that, notwithstanding all that has passed, the government of the United States is inflexibly determined to maintain its good faith with him under all circumstances, the moral effect will soon exhibit itself in consequences most gratifying.

The accompanying exhibit indicates the State stocks abstracted, and the tribes for which they were held in trust.

In this connection, I beg to remind you that in preparing estimates to be considered by Congress at its late called session, this office, then entertaining the views as above expressed, submitted, with your approbation, an estimate for the interest due, and to become due up to the end of the present fiscal year on the abstracted bonds, for the purpose of obtaining an appropriation to meet the interest due on those bonds. Owing to the press of other business before Congress, the subject was not entertained, and I beg now to renew my recommendation. The estimate will be found in Executive Document No. 1, 37th Congress, 1st session, House of Representatives.

I also recommend that an appropriation be made by Congress to meet the unpaid interest on those trust bonds of the revolted States yet in custody of the Secretary of the Interior. The interest on these bonds is, in most cases, the principal pecuniary resource of the Indian owners, and the failure to obtain this accustomed supply of means has proved to them a source of great embarrassment, and to the Indian Department itself one of much unpleasantness.

It appears from the tables hereto appended, and which are compiled from the best accessible sources, that the whole number of Indian tribes holding relations with the government is one hundred and fifty-two, comprising 239,506 souls, seven-twelfths of whom are females.

The schools of all kinds are 162 in number, having 5,950 pupils, under 186 teachers, whose compensation averages $365 per annum to each teacher.

The agency best furnished with educational opportunities is that of New York; then follow, in the order of excellence, the Northern, Central, Southern, California, Oregon, and Washington superintendencies; the New Mexico and Utah superintendencies have no schools as yet, which is also the case with the new Territories of Nevada and Colorado.

There are in all two hundred and forty-one farms (fenced) in cultivation by Indians or for Indian use, comprising an area of 6,112 acres; of which 2,956 acres are worked by employés in pay of the government, and 3,156 acres by Indians alone. The salaries of government farm employês average $671 per annum.

The aggregate value of the movable personal property owned by the aforesaid Indian tribes is set down at $4,670,053. Those in the best circumstances in this respect are the Shawnees, Wyandotts, and Delawares, who average more than $1,000 to each individual; the poorest are the tribes and bands in Utah. Indian wealth consists chiefly in horses, ponies, and mules; but cattle, farming implements, and household furniture are rapidly becoming important objects of acquisition.

The moral and religious cultivation of the Indians is committed to seventy-seven missionaries, twenty-five of whom are of the Methodist Episcopal church North and South, the former of which are increasing in number; nineteen are in the communion of the Roman Catholic church; nine are Baptists; five are members of the Society of Friends; three are Congregationalists; two are of the Protestant Episcopal and one of the Lutheran church. The remainder are undesignated.

Besides the moral and religious object which is served by these devoted missionaries, great incidental good follows from their labors and presence amongst the Indians. Thus the Indians receive lessons by example as well as precept in industry of all kinds; in the arts and sciences; in agriculture; in domestic economy; in temperance, manner of life and behavior, dress and deportment. How great the advantages which are thus communicated to those children of the forest and prairie, the imagination can more easily picture than the pen describe.

By the second section of an act entitled an act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1854, the President was authorized to enter into negotiation with the Indian tribes west of the States of Missouri and Iowa, for the purpose of procuring the assent of said tribes to the settlement of citizens of the United States upon the lands claimed by said Indians, and for the purpose of extinguishing the title of said Indian tribes in whole or in part to said lands. To carry these provisions into effect $50,000 were appropriated. Of this sum but $1,096 95 remains; and as it is deemed important that moneys should be placed at the disposal of this department for the purpose of availing itself of the first favorable opportunity to enter into negotiations with certain Indian tribes now resident in Kansas, Nebraska, and Dakota, I have to recommend that the sum of $50,000 be placed at the disposal of the Department of the Interior. This amount is regarded as small, as the Indians with whom the negotiations are to be made are numerous, and the cost of the requisite provisions, presents, &c., must be correspondingly large.

My experience so far as regards our relations to the Indians has satisfied me that there is a defect in the system of trade and intercourse with them, which requires a radical reform. A large portion of the annuities payable to the Indians is paid at once to the traders, who furnish from time to time during the year articles of merchandise, presumed to be suitable to the wants and necessities of that people. In some of the treaties it is stipulated that a certain portion of the consideration to be paid shall be applied to the purchase of goods and agricultural implements to be distributed to the tribes, as beneficiaries, resulting from our treaty engagements. In other cases, their treaties are mandatory, requiring their annuities to be paid in coin. With a view to correct the evil resulting from this payment in money, which is often filched from the Indians by unscrupulous white men, or used as a medium for dissipation and intestine commotion amongst the Indians, I would respectfully suggest that the department be authorized by law to enter into conventional arrangements with the respective tribes, with a view of modifying the existing treaty stipulations in that respect, so that a discretion shall be vested in the Secretary of the Interior to divert the application of their funds in the purchase of goods, agricultural implements, stock animals, and other objects of a beneficial character.

No recent information has been received respecting the condition of the Indians of the State of New York, but the latest intelligence from them indicates that they will maintain the advanced position they have so long held, vindicating thereby the capacity of the red race for indefinite moral and intellectual improvement. The Society of Friends at large has from time immemorial taken a lively interest in the condition of these people, and watched over their welfare in every respect with unceasing care. One of the principal agents of the society in these labors of love was the late Philip E. Thomas, of Baltimore, who, on account of his active and paternal supervision of the Indians, was designated as their representative to transact their business with the government. In the death of Mr. Thomas the Society of Friends have lost a true exemplar of their own characteristic and unpretending worth, and the Indians a friend whose place it will not be easy to fill.

In concluding this my first annual report, I desire to advert again to the subject of Indian reservations, as I deem it of far more importance, as a means by which their interests, social, moral, and political, are to be secured, than any other. In a country like ours, where State after State comes into existence with such wonderful rapidity, unless some policy is adopted and rigidly adhered to, whereby a permanent home may be secured for the Indian, and himself be instructed and gradually conducted along the difficult paths by which all nations who have attained civilization have travelled, there seems to be no means by which he can be secured from falling an easy victim to those vices and temptations which are perhaps the worst feature of our civilization, and to which he seems to have an almost irresistible inclination.

It is but a few years since the policy of locating Indians upon reservations so ample in area that they might to some extent indulge their roving propensities, has been so modified, that when they are so far reclaimed as to make it practicable, and desired by them, the reservation may be subdivided and allotted to them in severalty, and thus a home furnished for each member of the tribe, and, by the sale of the surplus lands, a fund provided, whereby they may begin their new mode of life under favorable auspices. Each succeeding year has served to demonstrate the wisdom of the change. That time and experience will suggest many improvements in the working of this policy, and in its practical details, is doubtless true; but I am well assured that it is the only plan yet devised by which the end we profess to seek, viz., the elevation of the Indian as a race in the scale of social existence, can be secured. Innumerable instances have demonstrated that he possesses capacities which, properly developed, would enable him to live creditably amongst the most enlightened nations. All experience has shown, that when the red and white races occupy the same territory, the former is quickly contaminated by the vices of the latter, rapidly deteriorates in physical and mental power, and very soon becomes well nigh extinct. In our broad and ample territories, as yet but sparsely occupied by whites, and in many portions of the newer States, very many localities still remain, possessing natural qualities, in location, climate, and soil, which, together with their seclusion from the immediate vicinity of the whites, render them peculiarly desirable as Indian reservations. It is with a hope that a sufficiency of these localities may, by the timely action of our government, be secured for the many Indian tribes, whose claims upon the fostering care and protection of our people may not be disregarded without lasting shame and reproach, that I have given this subject a prominence which in my judgment is far less than its merits deserve.

Very respectfully submitted.

WM. P. DOLE, *Commissioner.*

Hon. Caleb B. Smith,
Secretary of the Interior.

REPORT

OF

THE COMMISSIONER OF PENSIONS.

PENSION OFFICE, *November* 9, 1861.

SIR: I have the honor to submit the following report of the transactions of this bureau for the last year:

ARMY PENSIONS.

The total number of army pensioners on the roll at the close of the last fiscal year, June 30, 1861, is 9,752, requiring for their payment the annual sum of $820,167 23. The entire amount paid to army pensioners during the year is $922,292 99.

At the close of the previous fiscal year, June 30, 1860, the whole number of army pensioners was 10,345, and the yearly amount payable to them was, in the aggregate, $866,065 20. Consequently there has been a diminution of 593 in the number of army pensioners, and of $45,897 97 in the amount of army pensions yearly payable.

INVALIDS.

The whole number of original applications for army invalid pensions admitted during the last fiscal year is 175. The whole number of claims for an increase of pensions of the same class, granted during this period, is 54. There were on the army invalid pension roll, at the close of the year, 4,723, requiring an aggregate annual payment of $425,256 02. The amount actually paid to pensioners of this class during the year is $413,382 90.

As compared with the previous year, ending June 30, 1860, there is a diminution of 15 in the number of original applications admitted, and of 9 in the number of those whose pensions have been increased. The whole number of army invalids on the roll is diminished 129, and the aggregate yearly amount of pensions to this class is decreased $12,800 59.

This statement, of course, does not extend to so late a period as to embrace any of the applications of disabled soldiers of the present war, which have but recently begun to be admitted.

REVOLUTIONARY SOLDIERS.

Of the now small band of surviving revolutionary patriots, whose names are on the pension roll, twenty-eight died during the last fiscal year. The whole number remaining enrolled on the 30th of June, 1861, was but 63, which has been still further diminished. There is not a single remaining representative of these veterans in the States of Rhode Island, New Jersey, Iowa, Louisiana, Alabama, Florida, Mississippi, California, Oregon, or South Carolina. The one survivor in New Hampshire, at the date in question, has lately died, having nearly completd his 101st year. Of the sixty-two others, Massachusetts had 3; Maine, 9; Vermont, 3; Connecticut, 2; New York, 13; Pennsylvania, 1; Ohio, 4; Michigan, 3; Illinois, 1; Indiana, 2; Wisconsin, 1; Kentucky, 1; Tennessee, 6; North Carolina, 2; Georgia, 5; Missouri, 1; Virginia, 3; District of Columbia, 1; Arkansas, 1.

On the 30th of June, 1859, there were 165 revolutionary soldiers on the pension rolls, 102 of whom, or about 62 per cent., died during the two next years.

The aggregate annual payment of the sixty-three revolutionary soldiers on the roll, June 30, 1861, was $3,690 85, and the total payment during the year, $27,691 87.

WIDOWS OF REVOLUTIONARY SOLDIERS.

There were admitted during the year 42 original applications for pensions in behalf of widows of revolutionary soldiers. The claims for increase of pension allowed to the same class were 15. The total number of these pensioners now on the roll is 2,728, with an aggregate amount of yearly payments of $212,548 36. The whole amount paid to this class during the year was $230,657 32.

As compared with the previous year this shows a decrease of 476 in the number on the rolls; of 24 in the number of original applications admitted; and of $36,288 72 in the amount yearly payable.

WIDOWS AND ORPHANS' HALF PAY.

During the last year there were admitted, under the several acts granting half-pay and renewal of pensions to widows and orphans of deceased officers and soldiers, 464 original applications, and 434 claims for increase of pension. The whole number of these pensioners on the roll on the 30th of June last was 2,236, requiring an aggregate annual payment of $178,672. The whole amount paid to this class during the year was $261,160 90.

Compared with the previous year these statements show an increase of 38 in the number of pensioners, and of $4,668.80 in the annual sum required for their payment. The number of original applications admitted, however, is less by 285 than during the previous year.

NAVY PENSIONS.

The whole number of navy pensioners on the roll, June 30, 1861, was 957, requiring, in the aggregate, an annual payment of $137,604 85. This shows an increase from the previous year of 15 in number of pensions, and of $2,651 10 in the total annual payment.

During the last year there were 35 original applications of invalids of the navy and marine corps admitted, and 35 half-pay claims of widows and orphans for the same service. There were also eight cases of increase of pension in each class. Compared with the business of the previous year in this branch of the office, there is an increase of 13 in the number of original applications, and a net increase of 20 in the whole number on the roll.

GRAND TOTAL.

The entire number of pensioners, of all classes, on the rolls, June 30, 1861, was 10,709, with an annual rate in the aggregate of $957,772 08.

As compared with the previous year this shows a decrease of 575 in the whole number of pensioners of $43,246 87 in the yearly amount of pensions payable, and of $31,100 48 in the sum actually paid out.

The whole amount of the pensions paid by the United States since the formation of the government is $89,886,359 65.

PENSION AGENCIES.

The aggregate amount of pensions paid at the several agencies during the last fiscal year was $1,072,461 55. The amount of funds remaining in the hands of the various agents, June 30, 1861, was $143,356 78. This exceeds the amount thus deposited at the close of the previous year by $18,181 93. It is to be observed, however, that the foregoing statement includes the following balances in the hands of agents in the insurrectionary States, which sums barely sufficed, in most cases, to meet the March semi-annual payments, and which, though not regularly accounted for, are believed to have been very generally used for that purpose:

Lloyd Bowers, Mobile, Ala	$2,179 81
W. H. Moore, Huntsville, Ala	3,532 72
Monroe Donahoe, Tuscaloosa, Ala	835 05
Thomas Lanagan, Fort Gibson, Ark	1,078 81
P. T. Crutchfield, (dec'd,) Little Rock, Ark	2,696 17
F. H. Flagg, Tallahassee, Fla	1,284 95
Arthur M. Reed, Jacksonville, Fla	236 86
John O. Terrill, Savannah, Ga	616 46
Samuel H. Dalton, New Orleans, La	6,776 21
David N. Barrows, Jackson, Miss	19 47
R. C. Pearson, Morgantown, N. C	1,103 05
W. G. Broadfoot, Fayetteville, N. C	1,406 54
Benj. G. Herriott, Charleston, S. C	2,599 80
Isaac Lewis, Knoxville, Tenn	4,111 34
W. H. Blair, Jonesboro', Tenn	11,367 96
Joel M. Smith, Nashville, Tenn	2,958 65
Jos. B. Freeman, Jackson, Tenn	498 19
Morris L. Newman, Richmond, Va	2,940 02
	46,243 06

TABULAR STATEMENTS.

Herewith are transmitted tabular statements, severally marked A, B, C, D, E, and F, to which reference is made for more minute details of the affairs of this office, under the foregoing heads. Table A shows the number of army pension applications originally admitted, and of claims for increase allowed in the several States and Territories during the year. The statement marked B gives the amount of arrears payable at the date of issuing the certificates embraced in the last named table. In table C are given the respective amounts paid to army pensioners for the year ending on the 30th of June last at the agencies in the several States, respectively. Statement D shows the balances in the hands of the several agents for paying army pensions at the close of the fiscal year. E contains a statement of the whole number of army pensioners on the rolls in the several States and Territories, and of the amount to which, in the aggregate, these pensioners are yearly entitled. F exhibits, in four separate tables, full details in regard to navy pensions, including the number and yearly amount of original applications and claims for increase admitted during the year; the amounts paid to navy pensioners in the several States and Territories, for the same period; the number of this class of pensioners now on the rolls, and the amount of their yearly payments; and the balance of funds at the close of the year in the hands of the agents for paying navy pensions.

BOUNTY LAND.

The following statement shows the number of bounty land warrants issued under the various acts for the year ending September 30, 1861:

Under the Mexican war act of February 11, 1847.

62 warrants for 160 acres each, making	9,920 acres.
5 warrants for 40 acres each, making	200 acres.

Under the act of September 28, 1850.

10 warrants for 160 acres each, making	1,600 acres.
3 warrants for 80 acres each, making	240 acres.
8 warrants for 40 acres each, making	320 acres.

Under the act of March 22, 1852.

1	warrant for 40 acres	40 acres.

Under the act of March 3, 1855, *and amendatory act.*

4,932	warrants for 160 acres each, making	789,120 acres.
195	warrants for 120 acres each, making	23,400 acres.
122	warrants for 80 acres each, making	9,760 acres.
3	warrants for 40 acres each, making	120 acres.
5,341	warrants in all, for the aggregate quantity of	834,720 acres.

As compared with the previous year there has been a diminution of 668 in the number of warrants issued, and of 104,340 acres in the amount of public land thus granted.

The whole number of acres of land granted for military services since the formation of our government is 65,544,002. Estimated at the price of $1 25 an acre, the total value of this bounty is $81,930,002 50; a sum which wants but $7,956,357 15 of equalling the whole amount of money paid in direct pensions from the commencement of the revolution until now.

THE INSURRECTIONARY STATES.

It is evident that the slight decrease of the business of this office is mainly attributable to the entire suspension of official intercourse, during the last two months of the fiscal year, with the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and during part of the same period with the disloyal portions of Tennessee and Virginia. The last requisitions in favor of the agents for paying pensions in these States were drawn in February last, to meet the semi-annual payments then speedily becoming due. As already intimated, I have good reason to believe that but a small proportion, probably not exceeding $10,000 in all, of the amount still apparently unaccounted for has failed to reach the pensioners to whom it was due.

Many cases of hardship to pensioners and claimants have resulted from the predominance of treason in these States. Beyond doubt, there are hundreds of loyal citizens, still true at heart to the flag and the government, in whose service they have been disabled, who must suffer from this necessary suspension of official intercourse. A partial remedy has, in some cases, been afforded to those pensioners who have removed from the disloyal districts, by the transfer of their names to the roll of another agency, at which they can be paid. Whatever relief it has been in my power rightfully to afford, in this or any other manner, to persons of trusted and unquestionable loyalty has been readily granted.

OATH OF ALLEGIANCE.

Before the last semi-annual payment of army pensions became due, (on the 4th of September,) an order was issued requiring the oath of allegiance to be taken by pensioners before receiving their stipends. This test of loyalty is applied in accordance with the principle previously acted on, and so obviously just and essential, that persons in rebellion against the government, or unwilling to declare their continued fealty, no matter where they may reside, should be deprived of any share in the government bounties.

SUSPENDED PENSIONS.

It has also been the practice of this office, in the same spirit, to suspend the payment of pensions to disaffected persons whose names are on the roll of any agency in the loyal States, on credible and responsible information going to prove their active participation or avowed sympathy with the southern insurrection. Whether some more specific action of Congress, in regard to cases of this character, may not be expedient and requisite to give full effect to such action, is respectfully submitted for consideration.

ADDITIONAL CLERKS.

In anticipation of increased business, Congress was asked, at its late session, to continue the usual number of clerks in this office, a reduction of which had been contemplated in the appropriations made at the previous session, to take effect on the 1st of July last. This request was granted. Full employment is furnished for the clerical force now authorized by law, and with the large additional labor further anticipated, in the adjustment of claims for pensions based upon service in suppressing the rebellion, I would respectfully suggest that, in case no bounty land act is passed at the next session of Congress, the temporary employment of ten additional clerks in this office should be provided for, as the service, by gradual increase, may demand. Should a bounty land act be passed at the approaching session, at least forty more additional clerks, (fifty temporary clerks in all,) will be needed.

PENSIONS FOR SERVICE IN THE PRESENT WAR.

Applications of soldiers disabled in the present war, and on behalf of widows or minor children of those who have died in this service, are rapidly coming in for adjudication. Existing acts are deemed to warrant the allowance of such claims, and a large number of them have already been admitted. As there is some uncertainty in regard to the rates of pension legally allowable to officers above the rank of lieutenant, and as there are other apparent discrepancies in the laws under which this office is now acting, it is hoped that further and more explicit legislation on this subject will speedily be had by Congress.

In my report of estimates, previously transmitted, the whole number of probable invalid pensioners, by reason of the present war, to be enrolled during the coming year, is computed at 1,500, and that of widows and orphans pensioned by reason of like service at 1,000. The number of deaths occurring in one year, under ordinary circumstances, among 500,000 able-bodied men, of ages proportioned about as is usual with those composing a large army, as proved by statistics, is a small fraction over one per cent. In a protracted war, the average yearly rate of mortality is not usually very much increased. A larger proportion of deaths and disabilities are dated from the hospital than from the battle field. For any short period, in the midst of active hostilities, or during the prevalence of an epidemic, a reliable calculation, as the basis of pension estimates, cannot be made. The number of deceased soldiers who leave widows or minor children in any war may be reckoned at from one-half to two-thirds the number of invalids entitled to pensions. Making allowance for the usual delays in asserting claims for pensions, I see no reason materially to vary the estimate for another year from what has before been reported. Under possible contingencies, the numbers computed may be greatly exceeded. In no event, I am confident, can they prove to have been too large.

I remain, very respectfully, your obedient servant,

JOS. H. BARRETT, *Commissioner.*

Hon. Caleb B. Smith,
Secretary of the Interior.

REPORT

OF THE

COMMISSIONER OF PUBLIC BUILDINGS.

Office of the Commissioner of Public Buildings,
Capitol of the United States, Washington, November 8, 1861.

Sir: In the discharge of the duty imposed upon me by the 15th section of the act of Congress of August 4, 1854, "making appropriations for the civil and diplomatic expenses of the government for the year ending the 30th of June, 1855, and for other purposes," I have the honor to submit the following report:

I entered upon the duties of Commissioner of Public Buildings on the 7th day of September last, and cannot be expected to report as to the operations of this office any further than to state what sums were expended by my predecessor, Wm. S. Wood, esq., from the commencement of the fiscal year (July 1, 1861) up to the time that I entered upon duty. That statement, in tabular form, is appended to this report.

Mr. Wood, having been in office only a few months, made no reports to you, and for the operations of this office for the past six years I can only refer to the very full and very able reports of John B. Blake, esq., the immediate predecessor of Mr. Wood, whose watchful care of the public interests is manifested in all the duties he performed which have fallen under my notice.

On entering upon my duties, my first care was to ascertain what were the balances remaining of the several appropriations usually disbursed through this office. These are shown in a tabular statement appended to this report, as also the several sums expended by me, and the purposes for which they were expended, up to the date of this report.

I have already submitted to you my regular estimates for appropriations necessary to carry on the operations of this office for the fiscal year ending June 30, 1853. I will now proceed to make such statements and suggestions in relation to the several matters and things under my charge and supervision as seem to be required.

THE CAPITOL.

This building is peculiarly under the charge of the Commissioner of Public Buildings; and the requirement of the act of Congress of May 2, 1828, "that the Commissioner shall take charge of and superintend the public buildings, and perform such other duties as may be required of him by law, *and that the said Commissioner be required to reside near the Capitol,*" is evidence that Congress intended that it should at all times be under his watchful supervision.

The old portion of this building is now very much in want of a thorough painting on the outside. It has not been painted for many years, and the severe contrast between the new marble wings and the variegated centre is anything but agreeable to an artistic eye. Besides, the porous and friable sandstone of which it is composed, unless it be kept constantly covered with paint, is operated upon by the changes in the weather, so much as to become shelly and easily disfigured. Several years ago it became necessary to have a considerable portion of the lower course of stone dressed over before it could be painted.

I most respectfully recommend that an appropriation of eight thousand dollars be made for painting the outside of the old portion of the Capitol. This sum is based on an estimate of a practical master painter, herewith submitted, marked A.

There is much more work needed in the way of casual repairs inside of the building than is usual, in consequence of its occupancy by troops. I have already asked, in my regular estimates, for an appropriation of $3,500 to meet deficiencies already existing. Should this sum be appropriated, I have no doubt that the usual appropriation of $6,000 will be sufficient to make all the casual repairs, &c., that may be necessary for the ensuing year.

I respectfully call the attention of Congress to the fact that the basement of the western portion of the old building is mostly used for an army bakery, and the crypt, under the rotundo, for a storeroom for flour. This occupancy and use necessarily involves a continual ingress and egress of army wagons to and from the grounds, across the walks and pavements, to their great injury, and much to the annoyance of persons doing business inside of the Capitol. The dense smoke from the chimneys erected just outside the terrace of the west front is driven into the building so as at times to make the rooms almost untenantable, besides very much defacing the building. The use of the crypt for a storage room cuts off all direct communication between the two wings on that floor, and the effluvia that pervades the entire building, from the baking operations below, is not by any means pleasant.

The Capitol was at first used for the purpose indicated as a military necessity, and could not, just at that time, have been appropriated to a better purpose; but now, when everything relating to the war has become systematized, there seems to be no further necessity for such a use of the building erected for the accommodation of the legislative department of the government. Having, as a duty, called attention to this subject, I leave it for such action as may seem proper. If Congress should direct the removal of the bakeries to some other place, an appropriation of at least ten thousand dollars will be necessary to remove them and restore the rooms to their former condition.

THE PRESIDENT'S HOUSE.

In the civil appropriation act of March 2, 1861, the sum of six thousand dollars was appropriated "for annual repairs of the President's House and furniture, improvements of grounds, purchase of plants for garden, and contingent expenses incident thereto."

On entering upon the duties of Commissioner I found this appropriation entirely absorbed, and a considerable debt incurred on account of painting and papering the house. The entire bill for papering, and a large portion of the bill for painting, remain unpaid, and are estimated for as a deficiency.

Of the appropriation of four thousand four hundred and twenty dollars for introducing Potomac water into the President's House, so much has been expended as was necessary to do the work designed. At this time the bills of the contractor under my immediate predecessor have not been rendered, and I do not know how much of the appropriation has been consumed. The house is now in excellent order, and I know of no further necessary expenditures that are called for beyond the casual repairs incident to so large a building.

In consequence of the extension of the Treasury building, it will be necessary to change some of the walks and fences in the grounds directly south of the house, which will involve an expenditure of at least five thousand dollars; which sum I ask may be appropriated for that object.

THE POTOMAC AND EASTERN BRANCH BRIDGES AND ROADS APPURTENANT THERETO.

The Potomac or Long bridge being very much out of repair, and indispensable for war purposes, by an understanding between my predecessor, W. H.

Wood, esq., and the War Department, sanctioned by the Secretary of the Interior, it was taken in charge by Mr. Power, engineer of bridges under the War Department, and the money appropriated for the repair of that bridge has been expended under the direction and supervision of Mr. Power. I understand the entire sum of $20,000 has been expended, although the bills have not yet been rendered to me. They will be soon, and the money drawn from the treasury and paid over to Mr. Power.

The Eastern Branch bridges have been thoroughly repaired in the same manner, and the sum of between six and seven thousand dollars paid over by me to Mr. Power, on bills rendered for the same.

The roads appurtenant to the Navy Yard bridge are now in progress of repair, and I am endeavoring to have the work thoroughly and faithfully done at as economical an expenditure as possible. When these roads are completed, they are to be kept up forever hereafter by the county of Washington, under a resolution of the levy court, and the United States is not again to be subjected to any expense upon them.

PENNSYLVANIA AVENUE.

It is well know to every one who has passed along Pennsylvania avenue, between the Capitol and Georgetown, for the past two or three years, that it is in a very bad state of repair. The constant running of the omnibusses during that time, and recently of the army wagons, have so cut and worn the paved carriage-way that passing along it with a carriage is very much like riding over a road covered laterally with corrugated roofing iron. Among the first improvements I sought to make was an improvement in this avenue, by mending the worst broken places in the pavement. This work has been going steadily on for the past two months, and the avenue is now in as good order as it can be placed with the limited means at my command. A few years since a specimen of Belgian pavement was laid down at the intersection of Seventh street with the avenue, which has stood remarkably well; and there is no doubt that, were the entire road-way laid with that pavement, it would last for many years without needing any repair. The expense would be large at the beginning, but, in view of the permanence of the material, it would, in the end, be a matter of great economy; and if Congress do anything in the way of renewing the road, I would by all means advise the adoption of that kind of pavement.

The circle at the intersection of Pennsylvania avenue with New Hampshire avenue and K street has been enclosed with a firm and elegant iron fence within the past year, and there are now four triangular spaces along the avenue enclosed in the same manner. There are but three remaining open, and the enclosure of these spaces adds so much to the beauty, cleanliness, and health of the vicinity of their location, that it is to be hoped Congress will appropriate a sufficient sum to enclose one or more of them during the ensuing year. Each space can be handsomely enclosed for five thousand dollars.

Great efforts have been made for several years past to induce Congress to grant to private individuals or corporations the franchise of laying down a railroad track, and using the same for the transportation of passengers, along Pennsylvania avenue, from Georgetown to the Navy Yard. With, it is believed, a ready disposition to do this, Congress has been so beset by different interests that one has defeated the another, and the franchise has not been granted. I view the establishment of such a road as one of the most desirable improvements that could be made within this District. It would be a vast accommodation to the public. It would take from the avenue the immense travel of omnibusses, and save the road-way from being cut up and broken as it now is. It would confine the principal travel to a small portion of the road, and leave the rest open to ordinary travel; and every resident of any other city of any pretensions who visits Washington, and has his attention called to the fact that we have no passenger railroad, exclaims that the metropolis of the Union is behind the age, and goes at once into a rhapsody in praise of passenger railroads! The eagerness with which the franchise is sought is sufficient evidence that those who seek it know that it will be a very profitable investment. I respectfully suggest whether it would not be advisable for the government to organize a passenger railroad, instead of granting the franchise to any one, and appropriate the profits, after the road is paid for, to keeping Pennsylvania avenue in complete order forever. It would then become, as it should be, one of the most magnificent thoroughfares in the world, without one dollar of expense to the United States or the city of Washington. This matter is certainly worthy of great consideration.

THE WASHINGTON INFIRMARY.

The sad calamity which befel the Infirmary building, in its almost total destruction by fire on the night of November 3, calls for some notice of it in this report.

The building was originally the jail of Washington county. After the erection of the present jail, an act of Congress was passed "to provide an insane hospital for the District of Columbia." The provisions of that act authorized the Commissioner of Public Buildings, under the direction of the President of the United States, to cause such alterations to be made in the old jail as would adapt it to the reception and accommodation of the insane, &c. This act was approved August 29, 1842.—(Laws, vol. 5, p. 537.) In accordance with its provisions the building was altered and used for a time under the direct care and supervision of the government.

On the 15th of June, 1844, Congress passed an act "making appropriation for the support of insane persons in the District of Columbia, and for other purposes."—(Laws, vol. 5, page 672.) The second section of that act authorized the Commissioner of Public Buildings to allow the medical faculty of the Columbian College, District of Columbia, to occupy the building for the purposes of an infirmary, &c., and under this act the building was turned over to them, and has been in their charge until very recently, when, by some arrangement of which I am ignorant, it was taken possession of by the War Department. The civil appropriation act of 1853 (Laws, vol. 10, page 207) contains this provision, viz: "To aid the directors of Washington Infirmary to enlarge their accommodations for the benefit of sick transient paupers, twenty thousand dollars."

That sum was, I understand, expended in enlarging and repairing the building; and being insufficient for all that was deemed necessary, the directors, at their own expense, completed the work. The building, when destroyed by fire, was in excellent order, and answered all the purposes for which it was used admirably.

There has been a regular annual appropriation for the support, care, and medical treatment of transient paupers in that institution ever since it was turned over to the medical faculty, commencing with an appropriation of two thousand dollars for twelve patients, and running up to six thousand dollars for forty patients; that being the amount of the last appropriation and the number of patients.—(Laws, vol. 12, p. 216.)

At the time the building was burned there were about twenty patients, sent there by the Commissioner of Public Buildings, in it; all of whom were safely taken out, and, under the same care, are now in another building.

The ruins and public property contiguous have, by your advice, been taken charge of by me, and a small appropriation will be necessary (say three thousand dollars) to enable me to take such course as prudence may dictate in relation to the property thus unexpectedly placed in my charge.

Congress will, undoubtedly, at an early day, take definite action, with a view to the ultimate permanent disposition of the entire property.

I have deemed it a duty to place before you this brief history of the Infirmary that it might be some guide for any future action in regard to it.

A NEW JAIL AND EXTENSION OF THE COURT-HOUSE.

These are subjects of great importance, not only to the citizens of the District, but to the government itself; and in consequence of the present unhappy condition of the country, and the ultimate results to which a triumph of a just and righteous cause must necessarily tend, it seems as if there never was a time when prompt action was more needed. I have already transmitted to you, in my regular estimates, estimates for the purposes indicated above. My predecessor in this office, John B. Blake, esq., has earnestly called attention to this subject, and I make the following extract from his last report, wherein the necessities for a new jail and an enlargement of the court-house are set forth very fully and with great strength of language:

"A new jail and the extension of the court-house are a public necessity. Grand jury after grand jury have presented them as unsuited for the objects for which they are designed, and as evils demanding a remedy. Committees of Congress have examined them, and, arriving at the same conclusion, have reported, either by bills or amendments, appropriations intended to remove these causes of almost universal complaint. The court-house and jail are the property of the government, and the judges and other officers of justice derive their appointments from the same source. There is no authority that can interfere with them but the government, and unless the government takes the matter in hand nothing will be done with them. Congress has exclusive jurisdiction within the District of Columbia, and to that body alone the citizens must look to supply their wants and redress their grievances. They are not discouraged by past neglect, and are hopeful for the future. They have an abiding confidence that Congress will ultimately listen to their appeals and comply with their just expectations. The action of the Senate at the last session in requesting you to include in the next annual estimates you may submit to Congress an estimate of the cost of a new jail, they regard as a favorable omen that the time is not far distant when Congress will cause a large and commodious building to be erected, that will relieve its unfortunate inmates of the unnecessary punishment and misery which a damp, contracted, badly ventilated, and crowded prison inflicts.

"The fact that the half of the City Hall occupied by the court belongs to the government does not seem to be generally known. The principal, and indeed almost only objection urged against the extension of the court-house, is the impression that it would be improving property which belongs to the city. To show how little ground there is for such an objection, I respectfully refer you to the first section of the act of Congress entitled 'An act for the accommodation of the circuit court of the United States for Washington county, in the District of Columbia, and for the preservation of the records of said court,' which is in the following words: 'That the President of the United States be, and he is hereby, authorized to cause to be purchased, and completely finished, in the City Hall, now building in the city of Washington, permanent and suitable apartments for holding the sessions of the circuit court of the United States for the county of Washington, in the District of Columbia, for the use of the grand and petit juries of the said county, for the offices of the clerk of said court and the marshal of the said District, and for the preservation and security of the books, papers, and records of the said court: *Provided*, That the said purchase can be made upon reasonable terms, and not exceeding the sum hereinafter appropriated. And for effecting the object of this act, the sum of ten thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated.'—(Statutes at Large, vol. 3, fol. 785.) This act was approved March 3, 1823, and the Commissioner of Public Buildings made the purchase and fitted up the building as the act required. As soon as it was finished, the court, clerk, and marshal's offices, with their books, papers, and records, were moved into it. At that time the population of Washington county, including Washington city and Georgetown, was about 25,000, and it is now upwards of 72,000. The accommodations necessary for the court and its officers then cannot reasonably be expected to be sufficient for them at the present day, when the population is nearly three times as large.

"The business of the court has increased in proportion to the population; and if there is any doubt upon the subject, let the incredulous visit the court-house, and the crowded rooms of the clerk's office, filled to the ceiling with books and papers, and the valuable land records forced into the passage, exposed in the most public manner, will undeceive his mind, and he can no longer remain skeptical on the subject. The original plan of the City Hall provides for the extension of the court-house portion of the building, and by merely carrying out the plan it will afford sufficient room for all the purposes of the several courts and their officers."

Your two immediate predecessors, Mr. McClelland and Mr. Thompson, have, in very urgent terms, called the attention of Congress to these subjects.—(See the report of Secretary McClelland, of November 29, 1856, pages 9 and 10, and the report of Secretary Thompson, of December 1, 1859, page 13.)

THE ROAD TO THE INSANE ASYLUM.

In my personal supervision of the repair of the roads appurtenant to the Navy Yard bridge, my attention was called to that portion of the road from the bridge to the Insane Asylum, which is beyond the terminus of the road legitimately under the supervision of the Commissioner of Public Buildings. That road is very hilly, and the approach to the asylum is tedious and difficult. By making a new road on the hill-side, the distance may be considerably shortened, and the road be so constructed as to present a gradual inclination from the point where it leaves the present road to the asylum gate, an inclination up which there will be no difficulty in hauling a load that it would be impossible to surmount the present steep hill with without more than doubling the ascending power used on the new road.

The Insane Asylum is now one of the most imposing buildings belonging to the government. It has been built at a large expense, although, considering its vastness, and appropriate, thorough, and elegant finish, with more economy than any other public building in the District. It is alike honorable and creditable to the generosity and sympathy for suffering humanity of an enlightened and paternal government. The nation has done an admirable deed in erecting it. It is daily growing in importance, and communication with it will soon be, if it is not now, constant. To make that communication as easy as possible, the approaches to it should be placed in the best possible condition, and this can be done at a comparatively trifling expense.

I submit herewith a survey of the road as it now is, with one of the contemplated new road, with an estimate of the cost of making it, and hope Congress may be induced to add this much to the noble charity they have already given.

VIRGINIA AVENUE.

The attention of Congress has been called many times to this great and important thoroughfare, leading from the grounds south of the President's House to the Navy Yard. It never has been even opened properly, and it would be of very great benefit to the citizens of Washington if it could be graded and gravelled so as to convert it into a road that could be comfortably travelled. I herewith submit an estimate of the amount that it would cost to make the road-way comfortably passable.

DRAINAGE AND REMOVAL OF NUISANCES.

The fifth section of the act of Congress "to create a metropolitan police district," &c., provides, among other things, that "it shall be the duty of the board of police * * to remove nuisances existing in the public streets, roads, alleys, highways, and other places." As all the public avenues and reservations of the city of Washington are especially in charge of the Commissioner of Public Buildings, the duty seems to devolve upon me of calling attention to the fact that there is no appropriation applicable to the carrying out of the power thus given to the board of police. There are at this moment many nuisances caused by obstructions, standing pools of water, &c., on the public streets and reservations belonging to the United States that should be abated, but there are no means with which to do it. I respectfully request that an appropriation may be made "for the removal or abatement of nuisances on the streets, avenues, and reservations belonging to the United States, of five thousand dollars."

While upon this subject, I respectfully call your attention to the encumbered situation of the streets in the vicinity of the Capitol, in consequence of the immense quantity of stone placed in them to be used in the erection of the Capitol extension. Some of the streets are rendered, by this encumbrance, almost impassable in the winter season. For seven or eight years New Jersey avenue, south of the Capitol, 1st and 2d streets east, between Maryland and Pennsylvania avenues, A and B streets north and south, from the Capitol gates to Second street east, and East Capitol street, from First street east to Third street, have all been so filled with huge blocks of stone as to deprive the inhabitants on those streets of the comfortable use of them, and to greatly obstruct the travel over them; and as the work upon the extension is now discontinued, there seems to be no prospect that these encumbrance will be removed for years to come unless by some special legislation. There are open spaces belonging to the United States, or vacant lots belonging to individuals, the rent of which would be a mere trifle, if anything, where all these blocks of marble might be placed, and the streets restored to their legitimate use. An appropriation of two thousand dollars, with the facilities now on hand, would be ample to remove all that should necessarily be removed.

THE CAPITOL EXTENSION.

The work on the Capitol extension has never been under the direction of the Commissioner of Public Buildings, but the extension itself, as fast as it becomes occupied, is under his general supervision by law; it therefore seems proper that I should call your attention specially to this great national work.

All labor upon the extension was suspended last spring, not, as I understand, for want of an appropriation, but on account of the vast demands on the treasury, caused by the rebellion and treason of the citizens of a portion of this Union.

It must be, and I know it is, a melancholy and discouraging sight to every loyal citizen, who sincerely believes in the overthrow of rebellion and treason, as all loyal citizens do, to see the Capitol of this great and powerful nation standing unfinished, with no effort making to complete it. It necessarily leads to a distrust in the sincerity of the expressed belief of those in whose hands the sovereign people have reposed their power, and I have heard regrets expressed more than once, by visitors from the loyal States, that the work was discontinued, assigning as a reason for such regrets the foregoing given by me.

When it is considered that less than one-fourth of a single day's expenditures in carrying on the war would complete the Capitol, can it be that Congress will suffer it to remain an unfinished monument of exultation for the enemies of the Union?

THE PATENT OFFICE BUILDING.

The Patent Office building is now completed, except the saloon in the north front now occupied as a military hospital, and the portico of the north front. I have, in my regular estimates, made an estimate, in conformity with that of the architect, and in compliance with a resolution of the Senate, for the completion of this building, which I hope will be made.

THE WASHINGTON CANAL.

The Washington canal, constructed at so great an expense, and which was, at the time it was made, regarded as one of the greatest possible improvements to the city of Washington, is now nothing more nor less than a public nuisance. It is the grand receptacle of nearly all the filth of the city. The waste from all the public buildings, the hotels, and very many private residences, is drained into it. It is now in many places filled with accumulations from such sources, so as to present beds of rank vegetation and offensive soil above the level of the water. Unless something be done to clear away this immense mass of fetid and corrupt matter, the good citizens of Washington must, during some hot season, find themselves visited by a pestilence! I regard the abatement of this nuisance of more importance, in a sanitary point of view, than almost any other improvement in the whole city. The health of the entire population and the lives of thousands depend upon it. The question is, "What can be done?"

In the first place, the canal must be thoroughly dredged. An immense amount of filling will be necessary about the Capitol as soon as the grounds come to be graded, and it will be found difficult to obtain the material for such filling. I had considerable experience when I had the honor of holding the office of Commissioner several years ago, and can speak from actual knowledge. The deposit in the canal will serve the purpose admirably. It can be taken up by a dredge-boat, deposited without any shovelling in carts, and hauled to the place where it is wanted. The actual expense of filling up on the south side of the Capitol square will be much less than it would be were the material for filling shovelled into carts, even if it could be procured at a reasonable distance and carried to the place where wanted, so that the dredging would really be a matter of economy. I have no means of submitting an exact estimate with this report of the sum necessary to do the work recommended, but will procure one as soon as possible, and submit it, either to you or to the appropriate committee of the House of Representatives.

As soon as the canal is thoroughly cleaned out by the erection of a proper tide-gate at a proper place, which will shut of itself as soon as the water commences falling, and retain all the water above it, and then by the opening of it at low water the canal can be thoroughly swept out at least once every twenty-four hours, and always kept clean.

TYBER CREEK.

The wall of Tyber creek, where it passes through that portion of reservation No. 2, known as the Botanic Garden, has been badly undermined and fallen in. It should be rebuilt. The wall, also, just above the culvert on Pennsylvania avenue has fallen, and the recent freshet has so washed the bank as to make it very dangerous to pass along Second street, and one man has recently been drowned by the precipitating of a carriage over the bank in the night, in consequence of the washing away of a portion of it. This also should be walled. An appropriation of five thousand dollars would enable the Commissioner of Public Buildings to rebuild these walls.

What should be done, and will eventually be done, is to arch over Tyber creek from the culvert on Pennsylvania avenue to the culvert across Indiana avenue, thus forming a single culvert from the north side of Indiana avenue to the south side of Pennsylvania avenue. I recommended this several years ago, when I was Commissioner, and again respectfully call attention to it.

THE EXTENSION OF THE CAPITOL GROUNDS.

This is a subject of great importance, both to the government and the individuals who own the grounds proposed to be purchased. It is evident to every one that, when the extension of the Capitol is completed, the present grounds on the north and south must be enlarged. Many propositions of enlargement have been made, and in June, 1860, a section was added to the civil appropriation act, authorizing the ascertainment of the cash value of certain described real estate, being that which it was considered absolutely necessary to include in the Capitol grounds. Nine citizens were appointed to appraise the cash value of the real estate described, and after a careful investigation of the whole matter, the Commissioner reported the aggregate value of all the property described as $417,594 90. The district attorney, to whom the subject was referred, in his report to Congress, in February last, says:

"It may not be considered inappropriate to say that very many of the parties interested consider that they are justly entitled to a settlement of this matter at this session of Congress, as it has been in suspense many years. They complain that they cannot rent their property for any fixed considerable period of time, and that they feel unwilling to improve vacant ground or add to present improvements in this state of uncertainty as to when the government may think proper to take it, and at what price."—(Senate Mis. Doc. No. 17, 36th Cong., 2d session.)

There is one view of this matter worthy of consideration at the present time. It is well known that the government now holds much private property under lease, or agreement, for army uses, for which it is paying high rents. If the present unfortunate war continues, many more private buildings must necessarily be occupied. The real estate which the government proposes to purchase for the extension of the Capitol grounds has upon it quite a large number of substantial brick buildings that would make excellent hospitals or quarters for troops, and were they now in the possession of the government much of the enormous rent now paid would be saved by the use of these buildings. I know of at least thirty buildings on the appraised property suitable for the purposes mentioned that would, in ordinary times, rent for the interest on the sum at which the entire property is appraised, and I will venture to say that the government could not, at this moment, obtain equal accommodations for twice that sum. If I am correct in this opinion, certainly a wiser investment of so much could not be made at the present time. If it is conceded that the government must at some time become possessed of the property, now is the time to purchase it, for it never can be purchased cheaper, and it never can be used more advantageously; and there is no doubt that the owners would be glad to take government securities, on any time that the United States might please to fix, in payment.

CONCLUSION.

I have thus endeavored to call your attention and the attention of Congress, through you, to such matters as are deemed by me most important, relative to public improvements directly under my charge or supervision. They all appear to me to be worthy of serious consideration, and I conclude by expressing an ardent hope that they may receive the *favorable* consideration of the exalted legislative bodies composing the Congress of the United States.

All which is respectfully submitted.

B. B. FRENCH,
Commissioner of Public Buildings.

Hon. CALEB B. SMITH,
Secretary of the Interior.

REPORT
OF
THE WARDEN OF THE PENITENTIARY.

INSPECTORS' OFFICE, U. S. PENITENTIARY,
Washington, D. C., October 21, 1861.

SIR: The inspectors of the penitentiary respectfully transmit herewith the annual reports of the warden, clerk, physician, matron, and chaplain of this institution. They also enclose a report for the Biennial Register and the annual estimate of appropriations for the support of the penitentiary, and a report upon the subjects embraced in the letter of the Hon. John Sherman, dated September 1, 1861, of which a copy was referred by you to the board of inspectors.

The act of March 3, 1829, makes it the duty of the inspectors to so manage that, if possible, the labor of the convicts shall pay all the expenses of the penitentiary; and if it fails to support itself, the inspectors are required to report to Congress the reason of such failure.

The present inspectors have been but a few months in office, and are not therefore prepared to give in detail all the reasons why the penitentiary is not and has not been a self-supporting institution. There are general causes for this result which are not likely to be obviated: the convicts, especially the colored convicts, are notoriously unprincipled, but frequently stupid and inapt, and enter the prison with a predetermination to do as little as possible for their own maintenance, and with the very general intent that their compulsory labor shall be as little beneficial as they can make it. Great waste of material necessarily occurs in teaching trades to such perverse and intractable apprentices, and in many cases wilful destruction of the materials is undoubtedly practiced, and covered by the excuse of inexperience and ignorance.

The terms for which the prisoners are incarcerated are generally short, and by the time a trade has been well acquired by a new hand, and his labor becomes remunerative, he is set at liberty by a pardon or by the expiration of his sentence. There is also a prejudice in the community, and especially among our mechanics, against the products of convict labor, and articles made in the penitentiary would by no means meet with as ready a sale as articles of similar quality manufactured by our citizens at large. The sentiment is felt, and frequently expressed, that a convict is sent to the penitentiary to labor as a punishment for crime, and not to bring his labor into competition with that of honest men.

Washington not being a commercial city, there is a slow sale for such manufactures as are practicable in a prison, and the cost of the raw material is much greater here than at the north. The cost of living is also comparatively higher here than in most localities where penitentiaries are established.

These are some of the reasons why the penitentiary has not been and is not likely to be supported by the labor of the convicts. The contract system has been tried and failed, the contractor frankly admitting that he found it impossible to fulfil the stipulations of his contract, from the loss of stock in teaching a trade to such ignorant and wasteful hands, and the difficulty of disposing of his manufactures at anything like a remunerative price.

An addition is necessary to the present edifice, if the intent of Congress, that solitary confinement at night and when unemployed by day shall be a part of the punishment of the convict, shall be carried into effect. But in the present condition of public affairs, the board of inspectors can hardly expect that an appropriation would be made for this purpose, and they have not therefore suggested any plan nor proposed any estimate. There are improvements, however, of trifling cost, but essential to the convenience of the employés and conducive to the health of the prisoners, that ought to be made.

The article used for lighting the prison for some time past has been so enhanced in price by the war that the introduction of gas would add but little to the present expense, and render attainable a much more effective watch at night. Such of the convicts as are disposed to read for their improvement could also do so in their cells by the gaslight in the passages till the established hour for retirement to bed.

The introduction of the Potomac water is still more essential; and as a water-main passes close by the walls of the prison, it can be made available at a moderate cost. It is useless to argue the convenience and benefit of an ample supply of water among so large a number of persons certainly not conspicuous for attention to the laws of cleanliness and health, and the time and trouble that would be saved to the officers and employés by its introduction would be an element of efficiency in the management of the penitentiary.

The board of inspectors renew the recommendation of their immediate predecessors, that a law be passed by Congress providing that convicts breaking prison, escaping, or attempting to do so, shall be punished by an addition to their penal term, and providing more fully for the punishment of persons guilty of aiding and assisting a prisoner to escape.

The reports of the chaplain, physician, and matron show very fully the moral and sanitary state of the prison, and from a very frequent personal examination the inspectors are authorized to say, as they do with pleasure, that in these respects the penitentiary is in a very satisfactory condition.

The inspectors, being recently appointed, are not enabled to compare the present management with that of former years; but it is only justice to the present warden to say that he has shown commendable energy and capacity in the discharge of his duties, and that the penitentiary is remarkable for order, cleanliness, and discipline.

We are, very respectfully,

WILLIAM H. EDES,
R. B. CLARK,
J. M. BRODHEAD,
Inspectors.

Hon. CALEB B. SMITH,
Secretary of the Interior.

UNITED STATES PENITENTIARY,
October 1, 1861.

GENTLEMEN: In compliance with the requisition of law, I have the honor to submit to you this my first annual report of the United States penitentiary.

I entered upon the duties as warden the 12th day of April last. I accepted this important position with a determination to labor for the interest of the institution, the moral and physical good of its inmates.

I found, upon examination, that there were one hundred and seventy-one prisoners. About one-half of this number were unemployed, and I might add, worse than that; for they were lounging in the yard, talking with one another, concocting plans to escape, &c., &c.; quite a number on the sick list, the balance were employed in the broom and shoe shops. I at once came to the conclusion that every convict should have something to do, whether it proved a revenue to the institution or not. To carry out my idea it became necessary to purchase a quantity of tools for the shoe shop, and also machines for the broom shop. These I procured, and soon had the satisfaction of seeing all who were able at work.

The sickness I attributed to the filthy condition of the cells and workshops. I immediately had the whole prison thoroughly renovated with water, lime, and paint, and in a short time the health of the prisoners was improved, showing conclusively that the cause of the disease had been removed.

I also found that many of the prisoners were short of sufficient clothing to make them comfortable. This I supplied by purchasing the articles necessary, all of which has necessarily increased the expenses of the institution for the last few months.

We have labored under a great disadvantage, on account of not having a sufficient number of cells to accommodate the male prisoners, but I am happy to state that this difficulty, for the time being, has been removed. A part of the partition between the male and female departments has been removed, and a new wall built, taking in thirty-two more cells which can be used for the male department.

I regret to report that many of the convicts believed, that in the change of the administration, they were to be set free. Upon inquiry, I learned, to my surprise, that they had been told by some of the former guards, (who have since joined the secession army,) that the leaders of the southern confederacy, with their armies, would soon be here; that the prison doors should be opened and they go free.

Under such a state of excitement, and having a strong desire to obtain their liberty, no wonder that some should arise in open rebellion to the rules of the institution, and try to regain their liberty, even before that time arrived; but I am happy to state that but a short time elapsed before order was restored and all became quiet, and has remained so till the present time.

To A. T. Longley, deputy warden, and the guards generally, I owe much of my success, for their promptness in carrying out the rules of the prison.

In regard to the financial condition of the prison, the number of convicts, &c., &c., I would refer you to the accompanying report of the clerk, C. Hosmer, esq., to whom I am under many obligations.

I would also refer you to the report of the chaplain, physician, and matron, who are laboring to promote the general good of the prisoners under my charge, and the interest of the institution generally.

The great object of an institution of this kind is not merely to make it a paying one, (though this would be very desirable,) but to reclaim and bring back to the path of virtue and sobriety all who have gone astray, that when they shall have served their term of sentence, and are permitted to leave their prison walls, they will be better prepared to go out into the world and act well their part as honest men and women. This, in my opinion, can be accomplished in a great measure by having a library of good and useful books, (which is very much needed here,) and allowing the prisoners, after the labors of the day are over, and they are locked in their cells, the privilege of improving their minds by the perusal of those books, for unless a person is made better by his punishment nothing is gained but much lost.

Permit me to call your attention to one thing which would be of great convenience and benefit to this prison, and that is, the introduction of water and gas inside the prison walls. The expense would be trifling, as both pass within a few feet of the building. A prison, at best, is a dreary, lonesome habitation, and when poorly lighted is doubly so; and I have no doubt when you take into consideration the scarcity and high price of the article we are now using, it being at times almost impossible to procure it at any price, you will deem it essential to make some change in relation thereto.

Were it not for the deplorable state of the affairs of our country at the present time, the great draw upon the treasury, I should consider it to be my duty to urge upon you the necessity of petitioning Congress for an appropriation to build a new penitentiary.

A remark has often been made by distinguished visitors, (to which I heartily concur,) "that the United States penitentiary should be a model prison;" but instead of this, it falls far behind most of the prisons of the several States. But I have no doubt when this trouble, which affects every branch of business, in fact, our whole country, shall have ceased, that Congress will, without hesitation, grant a sufficient appropriation for building a prison of this kind.

In conclusion, gentlemen, allow me to express to you my sincere thanks for the assistance I have received from you, by way of counsel and advice, and I trust I shall discharge the several duties devolving on me to your entire satisfaction.

Very respectfully, your obedient servant,

H. I. KING,
Warden.

Honorable BOARD OF INSPECTORS.

OFFICE UNITED STATES PENITENTIARY, D. C.,
October 1, 1861.

GENTLEMEN: I have the honor herewith to submit statements exhibiting the financial operations of this prison for the fiscal year ending June 30, 1861, the nature and amount of expenditures during the business year ending September 30, 1861, and the number of convicts confined in this prison October 1, 1860; the number received, discharged, pardoned, &c, during the year; their sex, age, color, places of nativity, where convicted, crime, terms of sentence, employment, &c,

Very respectfully, your obedient servant,

CASTALIO HOSMER,
Clerk United States Penitentia

Honorable BOARD OF INSPECTORS.

UNITED STATES PENITENTIARY,
Washington, D. C., October 15, 1861.

GENTLEMEN: In conformity to the regulations of your board, I have the honor of submitting the following statement of the sanitary condition of this institution from the 15th of April, 1861, the date of my appointment, to the 30th of September, 1861.

The general health of the institution has been good. The prisoners have not suffered from any epidemic diseases, with the exception of twenty or thirty cases of diarrhœa and dysentery during the summer, and a few cases of chills and fever during the autumn. These has been but little sickness, save cases of a chronic character occurring in those whose constitutions have been impaired by a life of vice and dissipation.

There have been no deaths during the period of my attendance.

This favorable sanitary condition of the institution, I attribute chiefly to the good food and attention which is given to the prisoners.

Very respectfully, your obedient servant,

JOHN B. KEASBY, *M. D.*

BOARD OF INSPECTORS.

To the honorable Board of Inspectors:

GENTLEMEN: I entered upon the discharge of the duties of matron of the United States penitentiary, the 17th day of April last, and with pleasure submit to you a brief report of the affairs of this department since I have had charge.

At the present time there are only eight female convicts, two white and six colored. This small number speaks well for our sex. Four have been discharged and two received, all colored. They are employed at housekeeping, and washing, ironing, and mending the clothing of the male convicts.

The wash-house, and everything connected with it, is of the old plan, and entirely too small, which makes it very inconvenient, and often causes me much trouble.

The health of the inmates of this department has been generally good. The physician has always paid every attention, when his services were required.

The convicts attend religious exercises in the chapel every Sabbath. I have, in most cases, found that they can be managed by firmness and kindness, and generally their conduct has been respectful and obedient; but in a few cases they have given way to their tempers and become ungovernable. At such times I have received assistance from the deputy warden, to whom I feel much indebted. The guards have ever been ready to render me assistance when necessary.

I would express to you my thanks for the interest you have manifested in this department, and I hope my efforts to benefit those under my charge will meet your approbation.

Respectfully, yours,

S. L. KING, *Matron.*

FEMALE DEPARTMENT, U. S. PENITENTIARY, *October* 1, 1861.

United States Penitentiary,
Washington, D. C., October 1, 1861.

Gentlemen: During the year just closed, I have not varied from the stated means employed the preceding year for the improvement of the moral condition of the inmates of this penitentiary. Bible classes have been taught and divine service held in the chapel every Sabbath; while personal conversations on religion have been used on all appropriate occasions.

I have found the prisoners uniformly willing, often desirous, to talk about religious things.

The chief difficulty met here is a common inclination to select speculative or controversial subjects to the exclusion of practical ones; there are, however, commendable exceptions.

The behavior in the chapel during service is generally unexceptionable, in fact, it would do no discredit to any congregation of worshipers.

The great improvement that has been effected in this respect since the date of my last report, results, not only from proper instructions, but from excellent discipline now enforced, and the example set by the warden and officers, and members of their families, in attending the religious exercises.

The efforts to induce reformation in these erring convicts are in a measure successful; two females, both colored, have recently been baptized.

A considerable number of the male prisoners are striving to build up moral and religious characters; some of these have gone out to mingle with the world, and to meet its trials and temptations. As far as I have been able to trace them they are doing well; several have joined orthodox branches of the church, and, by their conduct thus far, encourage me to expect permanency in their reformation.

Very respectfully, your obedient servant,

H. N. SYPES, *Chaplain.*

The Board of Inspectors.

GOVERNMENT HOSPITAL FOR THE INSANE.

GOVERNMENT HOSPITAL FOR THE INSANE,
October 1, 1861.

SIR: At the second session of the last Congress eight thousand dollars ($8,000) were appropriated "for (1) repairs and painting of four western or first erected sections of the hospital edifice, including additions to the furniture, and also of the gardener's and farmer's houses and the out-buildings and fences thereof; (2) for ice-house, including preserving cellar; (3) for extension of stable for the storage of hay and other fodder, and shelter of farm wagons and carts; (4) enclosing two sides of farm-yard with brick wall; (5) improvement of the grounds; (6) forcing and green house, including heating apparatus; and (7) for fitting up two bowling alleys, one in the basement of each wing.

During the spring and summer, the 1st, 3d, 4th, and 5th improvements provided for have been in progress and are now completed, or carried as far as the appropriation contemplated; and the preservation, durability, beauty, productiveness, and convenience which, each in its place, are the result, fully justify the outlay.

The stables and stable-yards are now complete, and are believed to be models in durability of construction, capacity in proportion to their cost, and in conveniences for the proper care of every domestic animal and bird.

The changes in the appearance of the grounds are most striking, though much has yet to be accomplished before full justice is done either to their extraordinary susceptibility of ornamental and useful improvements or to benevolent objects of the institution. The brick kilns and lumber piles of eight years standing have been removed from the front of the hospital edifice; the grounds have, for the most part, been brought to a proper grade; some progress has been made in gravelling the walks and drives; a thousand trees have been planted and twenty-five acres have been fertilized, subsoiled, or underdrained, and sown with grass seed; and besides fine crops of grain earlier in the season, we are this autumn rewarded with a rich green landscape, which is grateful to the dullest sense in our whole household.

The ice-house will be built by the arrival of the winter solstice; the bowling alleys will afford employment in their construction, and amusement in their use in mid-winter when out-door labor or amusement is impracticable; and the forcing-house will be in readiness to anticipate the "annual miracle of nature" in the early spring.

For the year ending June 30, 1863, the following estimates are respectfully submitted:

1. For finishing, furnishing, heating, and lighting additional accommodations in the east wing, rendered necessary by the sudden increase of the insane of the army and navy by the war, $5,000.

2. For further improvements of the grounds about the hospital and of the farm, $2,000.

3. For continuing the stone and brick wall already forming the exterior of the boundary of the hospital grounds for a distance of 241.77 rods, in pursuance of the design of eventually enclosing the whole tract in the same way, $10,000.

4. For changing the location and grade of the public road leading past the hospital gate towards the city for a distance of about 150 rods, and building a substantial stone bridge over *Stickfoot branch*, $4,000.

The first estimate will barely meet wants that are pressing even to-day.

The second item will complete, or nearly so, a class of improvements which are now well under way, and should be prosecuted with diligence, inasmuch as time and nature are the indispensable agencies of the maturity both of the field and the landscape.

The third and fourth items were suggested in my last report, and recommended by your predecessor. The chairman of the House Committee on the District of Columbia examined the proposed improvement of the road, and expressed himself strongly in favor of its execution; and many other members of Congress—all, I think, to whom the enterprise was explained—also favored it, but, in consequence of the extreme poverty of the treasury, to which, for some time after Congress assembled, the members looked in vain for their own salaries, no appropriation was made for either of these objects.

As a repetition of the reasons which led me last year to recommend the continuation of the wall and the improvement of the road would occasion unnecessary printing, I beg leave to refer you to the last paragraph on page 17, and through pages 18 and 19 of the edition of my last annual report, printed for the use of the hospital, (a copy of which is enclosed herewith,) which is accompanied by maps calculated to illustrate the text cited. The views there expressed have been not only confirmed by another year's experience, but there has since been added to the reasons then expressed in favor of the improvement of the road the important one, that the highway from the navy yard bridge, past Alexandria, Virginia, and towards Piscataway and Port Tobacco, Maryland, has become a military thoroughfare and a line of fortifications.

It is sincerely believed that had the $4,000 asked last year been expended early in the spring, as at first proposed, the saving before the end of this calendar year in the less number and less wear and tear and depreciation of horses and wagons necessary for the transportation of troops, supplies, cannon, and other munitions of war up to the wretched tortuous hill road, by which the ascent to this table land is gained, would have fully equalled the cost of the improvement.

I am, sir, very respectfully, your obedient servant,

C. H. NICHOLS,
Superintendent.

Hon. CALEB B. SMITH,
Secretary of the Interior.

REPORT

OF

THE BOARD OF DIRECTORS

OF

The Institution for the Instruction of the Deaf and Dumb and the Blind.

WASHINGTON, *November* 5, 1861.

SIR: In compliance with the acts of Congress incorporating and providing for the support of this institution, I have the honor to report its operations for the year ending on the first day of July last.

For detailed information touching the immediate management of the institution and the progress of the pupils, I beg leave to refer to the report of the Superintendent, hereto annexed, marked A., and the report of the examining committee, marked B.

The treasurer's report, marked C, shows the sources of income and the receipts for the last year, viz:

From private subscriptions	$400 00
From the United States, per act of Congress of the 16th February, 1857, for maintenance and tuition of indigent pupils	3,425 94
From the same, under the act of May 29, 1858, for salaries and incidental expenses	3,000 00
From the State of Maryland, for the support and tuition of indigent pupils	1,034 25
From paying pupils	266 00
Total receipts	8,126 19

The same report shows that the whole amount received has been drawn from the treasury upon the drafts of the president, and (in his absence) the secretary in favor of the superintendent.

The superintendent's account, attached to his report, marked 1, shows for what objects the moneys drawn by him have been expended, and the balance on hand, amounting to $128 28.

Treasurer's report, marked C, shows the receipts of the institution from the fund derived from "Washington's Manual Labor School and Male Orphan Society," applicable to the promotion of manual labor by the deaf and dumb and the blind, amounting to $623 48. As the institution has not the buildings in which it can teach mechanical trades, nor the grounds on which it can teach horticulture and agriculture, it is proposed to invest the moneys derived from this fund until these deficiencies can be supplied.

During the year past eight pupils have been admitted into the institution and three have left, leaving the number on the 1st day of July last thirty-five, and showing an increase of five during the year. Their names and residences are given in paper marked 2, annexed to the superintendent's report.

Since June 30 there have been three admissions into the institution and one dismissal, so that the entire number under instruction is now thirty-seven.

At the end of the first year of its existence, July, 1858, the number of pupils in this institution was *seventeen;* at the end of the second year, *twenty;* at the end of the third year, *thirty;* and at the end of the fourth year, *thirty-five;* with the addition of two since and a prospect of further increase.

It thus appears that the troubles of the country have as yet had no sensible effect on the progress of this benevolent institution, and it is devoutly hoped that its claims may not be forgotten amidst the excitements of war and the clash of arms.

I cannot refrain from inviting special attention to the specimens of composition by some of the older pupils attached to the report of the examining committee. There is a beauty about them seldom, if ever, equalled by children of the same ages with all their senses, after many more years of faithful instruction. They constitute the highest testimonial to the fidelity of our superintendent and teachers.

But it is sad to reflect that, although the institution can do so much to improve the minds of its pupils, it can do so little on account of want of shops and ground to accustom the boys to manual labor, and fit them for earning a living when they leave the institution. Cannot the government even now devote a few thousand dollars to this object?

I ought not to close without paying a just tribute to our superintendent. To his judgment and skill in the selection of teachers, the discipline of the pupils and general management, the institution is mainly indebted for the high rank it has already attained among the benevolent institutions of this and other lands.

To the Rev. Dr. Samson and J. P. Ingle, esq., our thanks are due for their laborious and searching examination of the pupils of the institution at the end of the last summer term.

The regulations of the institution are hereto appended, marked D.

By order of the Board of Directors.

AMOS KENDALL,
President.

Hon. Caleb B. Smith,
Secretary of the Interior.

Officers of the Institution.

Patron.—Abraham Lincoln, *President of the United States.*

President.—Hon. Amos Kendall.

Secretary.—William Stickney.

Treasurer.—George W. Riggs, Jr.

Directors.—William H. Edes, James C. McGuire, Judson Mitchell, David A. Hall, Rev. Byron Sunderland, D. D.

Superintendent.—Edward M. Gallaudet, M. A.

Instructors of the Deaf and Dumb.—James Denison, P. B., Melville Ballard, Peter Baumgras.

Instructress of the Blind.—Miss Mary T. G. Gordon

Attending Physician.—N. S. Lincoln, M. D.

Matron.—Mrs. Thomas H. Gallaudet.

Assistant Matron.—Mrs. Sophia G. Hunter.

A.

REPORT OF THE SUPERINTENDENT.

To the president and directors of the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind.

GENTLEMEN: Since the date of my last annual report to you, the periods of instruction and vacation have succeeded each other, as directed in your regulations; and although at one time apprehensions were entertained that the difficulties of the country might compel us to suspend our operations, and scatter our pupils, a kind Providence interposed in our behalf, and we are still permitted to pursue our peaceful avocations, with none to molest or make us afraid.

The admissions to the institution during the year ending June 30, 1861, were eight; three pupils left us, and the number enrolled at the close of the year was thirty-five. Since June 30 three children have been admitted and one dismissed. The number of pupils connected with the institution since the date of my last report is forty-one.

Deaf mutes, males, 19; females, 16—total 35. Blind, males, 3; females, 3—total 6.

During the greater portion of the year the health of the pupils has been good. But in the months of January and February diseases of the throat and lungs prevailed to a considerable extent. Three severe cases of pneumonia, two of pleurisy, and ten of catarrhal fever were under treatment at one time. Fortunately no case terminated fatally, and in a few weeks all were apparently restored to perfect health.

The respective classes have made satisfactory advance in their various studies, and were examined at the close of the year by the committee appointed by you for that purpose.

I would call your attention to the fact that the specimens of composition appended to the report of the examiners were, in every instance, written by those who were either born deaf or became so before acquiring the least knowledge of language. I make special mention of this because I have observed in some reports of examination of deaf mutes very beautifully written exercises, purporting to have been prepared by pupils who had been deaf from infancy; whereas, in fact, the writers had gained a more or less complete knowledge of language before losing their hearing.

To publish these fluent essays without a word of explanation as to the character of their authors is eminently unjust both to those whose acquirement of language has been wholly by laborious study, and to those who have so patiently led them through the labyrinthine mazes of our vernacular.

The corps of instructors has recently been increased by the addition of a teacher of drawing and the arts of design. Mr. Peter Baumgras, of Washington, an accomplished artist, has been engaged to fill this position, and many of the pupils placed under his tuition already show decided talent. Deaf mutes have in numerous instances attained distinction as artists, designers, and engravers; and it is believed that the addition of the branch referred to will prove of lasting advantage to those whose natural ability may enable them to profit by the instructions thus afforded.

Improvements to the amount of about six hundred dollars have been made on the property of the institution within the year, including a convenient laundry and an additional school-room. The buildings are in good repair, but it is vital to the continued prosperity of the institution that enlarged accommodations be provided. Every available foot of room is now occupied in dormitory, school-room and dining hall; and yet there is reason to expect that in the year now current as many applications for admission will be received as in the year just past.

In the history of every well-conducted institution there is a larger annual increase of numbers during the first ten years than in any subsequent decade. The reason of this will be apparent, when it is considered that but few leave an institution till after the seventh or eighth year of its existence. Then those that first entered usually complete their education. In every year thereafter the number admitted is about counterbalanced by those dismissed, and the maximum number only experiences an increase proportionate to the gradual growth of population in the State or district for whose benefit the institution is sustained.

In view of these facts, and when it is borne in mind that in the past two years our numbers have increased from twenty-one to forty-one, and that but few of those now with us will leave within four years to come, the demand is, indeed, pressing for a further enlargement of buildings.

The past season the male mutes have been employed, as far as possible, in horticulture, and though our grounds are small the yield from the garden has been considerable. For the summer months our table was almost entirely supplied with vegetables from this source, and a good crop of hay was secured from the lawn. Much larger grounds might be cultivated by our boys, and the occupation would be of great advantage to them.

The necessity of introducing a mechanical department into our course of instruction grows more and more pressing each month, and it is to be hoped that some way may be devised during the coming year to meet this want.

All which is respectfully submitted.

EDWARD M. GALLAUDET, *Superintendent.*

WASHINGTON, *October* 9, 1861.

B.

REPORT OF THE EXAMINING COMMITTEE.

To the president and directors of the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind.

GENTLEMEN: The undersigned, members of the examining committee, appointed by your authority, have attended to the duty assigned them in visiting the institution on the day of its second annual examination, July 2, 1861.

The whole number of *deaf mutes* in the institution during the year has been thirty-one, of whom eighteen are males and thirteen females; a considerable portion of these are youth.

The *second*, or youngest class, numbering seventeen pupils, consists of those who have been but one year, or less, in the institution. Their teacher is Mr. Melville Ballard, a graduate of the higher class in the Hartford Institution, and for two years a teacher in that institution, prior to his employment one year ago by the trustees of the Columbia Institution. The instruction of this class by him has been principally in reading and writing, with the employment, as a text book, of Dr. Peet's Elementary Lessons. The examination of the class was chiefly in the writing of sentences or paragraphs, which should contain a word or treat upon a subject given them by their instructor, or should present their own impressions on any theme of their own choosing. The design of this exercise was to test their practical knowledge of the meaning and use of words, and of the force and connexion of sentences in consecutive discourse.

The committee were gratified at the manifest proofs of the faithful and persevering toil of their instructor in the most difficult task of giving to the mind of the deaf mute its first impressions as to the mode of receiving and conveying ideas.

The *first*, or advanced class, have been taught by Mr. James Denison, of whom handsome commendation was made at the former annual examination.

In this class there are fourteen pupils, consisting of two divisions; the first of which divisions comprises those pupils who have been under instruction four years, and the second those who have been thus engaged for three years. The studies of the year for the second division have been Mrs. Barbauld's Reading Lessons; arithmetic, through the subjects of addition and subtraction; Scripture lessons, and English composition and penmanship. The studies of the first division have been Lossing's History of the United States; arithmetic, through the subjects of multiplication and division; penmanship and English composition.

In the examinations upon these branches the committee were able to compare the progress of the pupils made during the last with that of the previous year. They were anew impressed with the tact and patience required in the teacher of deaf mutes, during the elementary education of his pupils, with the comparatively slow progress, so trying to the teacher, which the deaf mute makes until the period when he has gained the elementary principles of learning, and with the fact that while some deaf mutes acquire information much more rapidly than others, yet, as among pupils having all their faculties, patience in the teacher finally gives success with all.

The class of *blind* consists of six pupils, three males and three females. Some of this class have been under instruction four years, others only two years. Their teacher during the past year has been Miss Mary T. G. Gordon.

The studies of the year have been Parley's School History; Uncle Philip's Conversations on the History of Virginia completed; Howe's Geography; arithmetic, through the four rules of addition, subtraction, multiplication, and division; and vocal and instrumental music. The replies of the pupils to questions in history, and their ready use of the type slates in working out problems in arithmetic, indicated that principles rather than books had been their study; and the zest with which even the youngest engaged in the musical performances gave fresh proof of the value of this part of education to the blind.

The committee were able to compare the progress of the pupils in this department with that made last year, and they were gratified with the evidence that their new teacher possesses the qualities essential in her trying position.

The committee were, as last year, specially gratified with the neatness and order everywhere manifest in the school-room, the dining hall, and about the grounds and buildings. Made aware by their short experience of the difficulty with which the impulses of a deaf mute, without any training from parents who ordinarily cannot communicate in the sign language, can be curbed by a teacher, they feel it a duty and pleasure again to commend the mingled gentleness and firmness entering into the discipline of the institution—characteristics so eminently blended in the principal.

Your committee can but repeat the hope that, when the circumstances of the country may justify it, this noble beginning of the great enterprise, undertaken at first by the bounty of a single individual, may become not only an asylum for the few needy in the vicinity of Washington, but a resort for higher instruction of graduates from State institutions of kindred character. This high ideal having been before the minds of the trustees from the first, it is hoped that it may not be abandoned even during the present exigencies of the government.

Specimens of the proficiency of the pupils in composition, the practical communication of thought, are appended to this report as an index of their general progress.

All of which is respectfully submitted.

GEO. W. SAMSON,
JOHN P. INGLE,
Committee.

WASHINGTON, D. C., *July* 10, 1861.

ABOUT MY FATHER.

My father was a house painter. He came from Wales to Washington, and saw a lady, and talked with her. Finally the lady was married by my father, on Sunday. My father had property, and built a new house. In three years I was born in Washington, and grew, and loved my father. My father drew the pictures on paper, and gave them to me. I was very glad, and kept them in a drawer some days. I was foolish, and tore them to pieces, and put them in the stove. The paper was burned up. I saw the black paper in the stove, and took them from the stove. I did not mind it, but asked my father to draw another one.

But then my father was very sick. My mother took care of her husband, who died in a bed. I was very sorry, and wept to see my father dead in the room. My father had given the house to me. My father spoke to his wife about his son, and to take care of me. Some gentlemen went to the door, and opened it, and came in the room. They solemnly looked at my father. Then the people looked at his face. A man put it in a new coffin, and carried it in a hearse to the graveyard. They took it into tomb. My mother thought of her husband in the grave. She loved him, and remembered him. My father will be happy everlasting.

(J. W. Aged 18 years. Under instruction three and a half years.)

LLEWELYN.

Llewelyn was a great hunter. He heard of wolves that lived in the wilderness. He rode his horse. He called some large dogs to follow him through the wilderness. Llewelyn turned his head, and missed one of the dogs that lived in his castle. The dog was a stag-hound, that was very faithful. Llewelyn looked for a wolf in the wilderness, but did not find the wolf. At evening he returned, and his dogs went to his castle. He jumped from his horse. Then the stag-hound came out of his castle. He wagged his tail, and gazed at the face of Llewelyn. Llewelyn saw the bloody face of the stag-hound. He felt sure that the hound had been killing his baby. He immediately drew his sword and cut through the hound's neck. Soon the hound gazed at him, and kissed his feet. He fell down on the ground and died. Then Llewelyn saw the cradle that was thrown down on the floor of his castle. He took up the clothes, and saw his baby, that slept silently, and was covered with the clothes. He was very sorry for the hound. He knew that the hound was never deceitful, and he was fond of his hound. He took up the clothes again, and saw a large wolf on the floor. He knew that the hound had defended the baby. The hound had conquered and killed the wolf. Llewelyn's baby was saved from danger. He carried the hound and buried him in the ground. He honored him because the hound was brave and smart. He put a small obelisk over the grave of the hound. He never forgot the faithful animal.

(J. W. Aged 13. Under instruction four years.)

THE FRENCH HEROINE, JOAN OF ARC.

Joan of Arc was the daughter of poor peasants, and a servant at a small inn. She used to ride out on horseback, and worked hard.

She was a great patriot, and she frequently thought about her country, and wished it to be free, and independent of the English rule. When she was about thirteen years of age she had many dreams, and she fancied that she saw visions, and that the angels had appointed Joan of Arc the deliverer of her country. She, seeing the English continually desolate and oppress France, began to hate the English oppressors very much, and wished to defend her country. When she got to be a woman she went to the king of France, and told him all her dreams, and asked him to give her a man's armor and a war-horse, to ride out and drive the enemies from France. The king was much pleased with Joan, and he gave her all she desired. Then Joan rode on horseback, holding a banner, and showed herself to the French army. She proclaimed that this banner was sent from Heaven.

She led the army to fight their enemies. When the English were told that the banner was sent from Heaven they were much alarmed, did not wish to fight any one that was sent from Heaven, and they fled. So, through this gallant heroine, the French drove the English nearly out of France. Soon Joan became the greatest and best commander of the French army, and this made some of the officers jealous of her, because she was a woman. They wished to get rid of her. So one day, when the army sallied out of the strong walled town with Joan, to give battle, they soon deserted her, and entered themselves into the town, and shut the gates so fast that the heroine could not get in. The English soon overtook Joan, and made her a prisoner.

She was tried, and accused of witchcraft, but she was firm and dignified. She was put in prison, and confined there for a considerable time, and afterwards she was condemned to be put to death. She was burned alive, and died a noble death, and a heroine in defence of her country. A fine statue was erected in memory of this remarkable woman, and yet stands in the same spot where she was burned to death in France.

(A. S. Aged 16. Under instruction four years.)

A STORY.

In the reign of Charles VI, of France, a gentleman had a good dog that was very fond of his master. One day he went through the forest near Paris with his dog. His enemy named Macaire hated the good gentleman. When he saw him in the forest he killed him, and put the dead body in a pit, then covered the earth upon it. Then he thought that nobody could find out his murder. But he made a mistake. God knew he had done wickedly, and the dog saw him kill his master. So Macaire went to Paris. The dog was sorry, and lay sadly on the grave all day. When he was hungry, he went to the house of a man in Paris who was a favorite of his master. The friend fed the dog, and then the dog went again to the dead body in the forest.

He lay upon it some days. The friend was surprised that the dog was very strange, for the dog often went and came to his house. So he wished to follow the dog and see what the dog was doing. He led the gentleman through the forest to the dead body in the ground and scraped the earth away, and the man saw the body of his dear friend in a pit. The dog loved the friend in the place of his master, but he hated Macaire and wished to attack him, for he knew that he had killed his master. The friend often saw the dog growling and trying to attack Macaire. He suspected that Macaire had killed his own favorite. He wished to have him tried. He told the king, Charles VI, what Macaire had done. Charles told Macaire if he fought and conquered the dog he would believe that he was innocent. Charles gave a stick and shield to Macaire, and a barrel for the dog to go in when he was tired. Macaire fought with the dog, while many people looked at them. Finally Macaire fell fainting and defeated by the good dog, and he confessed to the king that he had killed the dog's master.

(J.Q. Aged 15 years. Under instruction four years.)

THE HOLY BIBLE.

The Bible is the book in which God has revealed the truth to us and taugh us all our duty, and is the most precious of all books in the world, because it teaches us the way of righteousness to heaven. The Bible is divided into the Old and New Testaments. The Old Testament contains an account of the creation of the world, the deluge, the moral laws on Mount Sinai, the law of Moses, the history of the Jews, and the prophecies. The New Testament contains an account of the life and death of Jesus Christ, his instructions, promises, and the lives and epistles of some of his disciples. The New Testament was written to teach us the way of salvation through Jesus Christ, and that he is the only Saviour. Many children have learned to love and serve him from the New Testament in the world, and follow his noble example of piety and benevolence.

How humble and affectionate Jesus was when he was on the world! and he lived not a proud and wealthy life, but a poor, humble, and interesting life! He left his glorious home, heaven, and lived on the earth and suffered much trouble. He came here not to choose the men who were very rich, or to become the most famous king of kings; but he came to save sinners, who would trust in him, from everlasting punishment in hell. At last he died on the cross. How infinitely kind and good Jesus is to us! How I wish I was among the children whom Jesus blessed while he was on the world! I know many children have gone to heaven to be with Jesus Christ, because they had learned to love and serve him on the earth. Now they are happy to be with him, God, and many holy angels in heaven, where they will live forever.

The people who read the Bible should follow his noble example, and try to live as gentle and pious and kind as he lived. No doubt there will be no one who can set as perfect an example as Jesus once did, because all mankind were born with sinful hearts.

Many good men wrote the Bible, as the Spirit of God inspired them at different times. Unless there was a Bible in the world, scarcely anybody would ever know of God and Jesus Christ, and they would be ignorant all their lives and would die miserably. But God is ever kind and merciful to all mankind. He sent the Bible to the world to let the people know him who is the almighty Lord and Creator. Now there are many thousands of pious disciples in the wide world, and there are also thousands of Bibles here. The Bible is the most interesting and instructive of all books.

(A. S. Aged 16 years. Under instruction four years.)

REPORT

OF

THE METROPOLITAN BOARD OF POLICE.

DEPARTMENT OF METROPOLITAN POLICE,
Washington, November 21, 1861.

SIR: In accordance with the requirements contained in the 24th section of the act of the 6th of August last, "*to create a metropolitan police district of the District of Columbia, and to establish a police therefor,*" I have the honor to enclose herewith the annual report of said board of police, showing "*the condition of the police within said district.*"

This report was prepared some time since, but the unavoidable absence of the president of the board has caused a delay in sending it to the department. It being uncertain when he will return, I have taken the liberty of signing the report, as president *pro tem.*, in order to avoid further delay.

I have the honor to be, very respectfully, your obedient servant,

S. J. BOWEN,
President pro tem.

Hon. CALEB B. SMITH,
Secretary of the Interior.

DEPARTMENT OF METROPOLITAN POLICE,
Washington, November 4, 1861.

SIR: Under authority of the act of 6th of August last, "to create a metropolitan police district of the District of Columbia, and to establish a police therefor," and by direction of the President of the United States, the board of police entered upon its duties on the 19th of that month, for the purpose of carrying into effect the provisions of the act.

Upon assuming their duties, the board of police found attached to the police department of the city of Washington an auxiliary guard, paid by the United States, of one captain, one lieutenant, and fifty patrolmen; and forty-six police constables employed by the corporate authorities—to the corporation of Georgetown, seven policemen, employed by that corporation; and under the authority of the district court, about seventy county constables, which latter, however, have not been considered as an effective police force within the limits of the cities of Washington and Georgetown, where most of them reside.

In the embarrassing state of the board upon its entry into existence, with little time for maturing plans of action or securing the best aids for effective operation, the board, at its first meeting, authorized the temporary continuance, as a police force, of those persons previously employed as the auxiliary guard, until the 1st of September. In the meantime, the provost guard patrolled the streets of the cities of Washington and Georgetown. The board were unable, owing to change of its members and other embarrassing circumstances, to provide a sufficient police force during the first ten days in September, during which period the services of the guard, under the provost marshal, were invaluable. On the 11th of September, however, notwithstanding the many difficulties, such as a want of proper stations, arms, materials, &c., a force was provided under the act referred to, which has met public expectation. Although the police force provided by Congress is nearly full, it is believed to be much smaller than is desirable, especially during the present national troubles, when a population so large and changeable is about and within the police district. At the same time, the compensation provided is so small as greatly to enhance the embarrassments of the board, by preventing it from securing the services of persons most efficient and best capacitated for a police force. It is true, there has been no lack of candidates for the force, and even good ones, but the compensation is insufficient to induce permanency. Members of the force scarcely become familiar with their duties before they have offers of more liberal remuneration in other occupations, and they resign, and others less fortunate in business pursuits have to succeed them. Thus changes constantly occur, which seriously affect the efficiency of the force, and make the labors of the board more perplexing than they otherwise would be.

There has also occurred much difficulty in providing the means to attain all the results required by the act of Congress, inasmuch as the demands of the law are much greater than the capacity of the force provided to execute it. The law provides for a superintendent of police, at an annual salary of $1,500; ten sergeants, at an annual salary of $600 each, and not exceeding one hundred and fifty patrolmen, at $40 per month each. It also provides one clerk, at a salary not exceeding $1,000 per annum; thus, with the five commissioners, paid a nominal compensation, and two ex-officio members of the board, receiving none, the duty of originating and carrying into effect a service, at this time of vast importance, is imposed.

The permanent population of this police district, as shown by the census of 1860, was, in Washington city, 61,122; Georgetown, 8,733, and in the county of Washington, outside of said cities, 5,225; making an aggregate of 75,080 souls. An aggregate police force has been provided of about one to 470 inhabitants. Owing to the presence of the army, and its camp followers, &c., the force has been partitioned as follows: To the city of Washington, in the proportion of one to about 520 inhabitants; to Georgetown, one to about 540; and to the county, outside the corporate limits of the two cities, one to about 220 inhabitants, as rated in the census referred to.

The police district has been divided into ten precincts: the 1st being all that portion of the county of Washington east of the Anacostia or Eastern branch of the Potomac river; the 2d, all of the territory within said county lying north of the boundary line of the city of Washington, and between the Anacostia and Rock creek; the 3d, all that part of the county lying west of Rock creek, including the island of Analostan, in the Potomac, and the corporation of Georgetown; and the 4th, 5th, 6th, 7th, 8th, 9th and 10th, are constituted of the 1st, 2d, 3d, 4th, 5th, 6th and 7th wards of the city of Washington, respectively, each ward constituting one precinct.

During the period included between the 11th of September, when the force was organized, and the 31st of October, inclusive, there were 2,113 arrests made within the district, 313 of which have been turned over to the military authorities. In cases coming under the jurisdiction of the police, fines on account of offences committed against the United States, to the aggregate sum of $1,440, and on account of those against the corporate authorities, to the sum of $3,288 86, have been imposed within the period named.

It is proper that the board should state that the law creating the metropolitan police force does not specifically define its duties in regard to taking care of the public health and the abatement of nuisances. Neither has it specified where the jurisdiction of the city authorities leaves off and that of the metropolitan police begins, in regard to these two very important subjects.

The act in question not having expressed a sufficient line of demarcation, it has been necessary, under an opinion of the corporation attorney of Washington city, for the city authorities to provide a number of constables to collect costs and fines arising from arrests made by the metropolitan police force. It would seem proper, in view of these facts, that the law be made more explicit in relation thereto.

The attitude of some of the magistrates in the police district has been such as to cause the inquiry, whether the act creating it should not be so amended as to provide a special magistracy to such extent as may be necessary to sit as police courts, with duties defined to suit the exigency of the service for the adjudication of strictly police matters as distinct from those purely civil and pertaining to the corporate authorities.

It is also the duty of the board to report to you that the police force has been often embarrassed in its operations by the interference of the provost guard, the provost marshal persistently refusing to act in concert with the police force, and in several instances declining to communicate with the board of police and its officers, on the ground, as asserted by him, that he *did not recognize the legal existence of the board of police.*

The board has from the first endeavored to arrive at an understanding with the provost marshal, in order to make both forces as efficient as possible by acting in concert to prevent crime. As, however, that officer refuses to hold official communication with it, of course nothing of the kind could be effected. It would be well if the Executive or Congress would define the duties of each force, that they may mutually aid each other in the one great object that both have in view, especially as the present condition of things may possibly result in a conflict between them.

Provision is made by law for the keeping of *stolen* property, and books are required to be kept for the registry of "*lost, missing, or stolen property.*" Another provision shows how "*all moneys arising from the sale of unclaimed goods*" may be disposed of, but no sufficient legal authority is found for the protection of the board in measures necessary to be adopted for such sale. It is suggested that the act be so amended as to authorize the board of police to make public sale after due notice of all lost, missing, or stolen property after it shall have remained in the hands of the police unclaimed for the period of six months, and that perishable property be disposed of within a shorter period, according to circumstances.

The existence of this board has been too brief and its objects are too various to enable it at this time to report upon all its operations. The office force provided by the act of August last, so important to the police department, is so inadequate that it is deemed worthy of special notice. For detective purposes, as well as by reason of the requirements of the act referred to, the opening and keeping of a large number of books is necessary, and the perfection of the system involves the necessity of keeping records of varied character, not merely at the central station, but to a considerable extent at the precinct stations. It is especially desirable that some additional offices be provided, and with a view to efficiency, that the measure of compensation be equivalent to the value of the services required by the terms of the law. From the working of the department thus far, the board is clearly of opinion that the existing law should be so amended as, in addition to those now authorized to be employed, there be two clerks and one messenger for the central station, and two inspectors and twenty roundsmen to be added to the police force. These additional offices filled, the members of the force paid equal rates with those employed in pursuits requiring like capacities, and a provision of law prohibiting any employé of the board or member of the police force from attending to or following any other business pursuit, it is believed the police of this district can be made to compare favorably with that of any other in the country.

It is deemed proper to suggest that the same compensation allowed to the commissioners of the board be allowed to the *ex-officio* members thereof, it being manifestly unjust to expect them to perform the duties required of them by the law gratuitously.

The following named officers and salaries for the whole establishment are deemed indispensable to the permanent efficiency of the force, and the board recommend that they be substituted for those provided by the act creating the board of police, viz:

1	treasurer	$600	per annum.
1	secretary	1,200	" "
1	property clerk	1,200	" "
1	assistant clerk	1,000	" "
1	superintendent	1,500	" "
2	inspectors, each	1,000	" "
1	messenger	720	" "
10	sergeants, each	900	" "
20	roundsmen, each	720	" "
150	patrolmen, each	660	" "

I have the honor to be, very respectfully, your obedient servant,

S. J. BOWEN,
President pro tem. Board of Police.

Hon. CALEB B. SMITH,
Secretary of the Interior.

REPORT

OF

THE SECRETARY OF WAR.

War Department, *December* 1, 1861.

Sir: I have the honor to submit the annual report of this Department.

The accompanying reports of the chiefs of the several Bureaus present the estimates of the appropriations required for the service of this Department during the fiscal year ending June 30, 1863, and also the appropriations necessary to cover deficiencies in the Estimates for 1861–'62:

The following statement presents the entire estimated strength of the army, both volunteers and regulars:

States.	Volunteers.		
	3 months.	For the war.	Aggregate.
California		4,688	4,688
Connecticut	2,236	12,400	14,636
Delaware	775	2,000	2,775
Illinois	4,941	80,000	84,941
Indiana	4,686	57,332	62,018
Iowa	968	19,800	20,768
Kentucky		15,000	15,000
Maine	768	14,239	15,007
Maryland		7,000	7,000
Massachusetts	3,435	26,760	30,195
Michigan	781	28,550	29,331
Minnesota		4,160	4,160
Missouri	9,356	22,130	31,486
New Hampshire	779	9,600	10,379
New Jersey	3,068	9,342	12,410
New York	10,188	100,200	110,388
Ohio	10,236	81,205	91,441
Pennsylvania	19,199	94,760	113,959
Rhode Island	1,285	5,898	7,183
Vermont	780	8,000	8,780
Virginia	779	12,000	12,779
Wisconsin	792	14,153	14,945
Kansas		5,000	5,000
Colorado		1,000	1,000
Nebraska		2,500	2,500
Nevada		1,000	1,000
New Mexico		1,000	1,000
District of Columbia	2,823	1,000	3,823
	77,875	640,637	718,512
Estimated strength of the regular army, including the new enlistments under act of Congress of July 29, 1861		20,334	
Total		660,971	

The several arms of the service are estimated as follows:

	Volunteers.	Regulars.	Aggregate.
Infantry	557,208	11,175	568,383
Cavalry	54,654	4,744	59,398
Artillery	20,380	4,308	24,688
Rifles and Sharpshooters	8,395		8,395
Engineers		107	107
	640,637	20,334	660,971

The appropriations asked for the service of the next fiscal year are computed for a force of 500,000 men. They have been reduced to the lowest possible amount consistent with the public interests, and are based upon a strictly economical administration of the various branches of this Department.

The appropriations to cover deficiencies are rendered necessary by the excess of the force in the field over that upon which the Estimates were founded, and by extraordinary expenditures connected with the employment and discharge of the Three Months' Contingent.

An item of very heavy expense is the large mounted force which has been organized, equipped, and made available since the called session of Congress, and which was not computed for in the Estimate. While an increase of Cavalry was undoubtedly necessary, it has reached a numerical strength more than adequate to the wants of the service. As it can only be maintained at a great cost, measures will be taken for its gradual reduction.

In organizing our great army, I was effectively aided by the loyal Governors of the different States, and I cheerfully acknowledge the prompt patriotism with which they responded to the call of this Department.

Congress, during its extra session, authorized the army to be increased by the acceptance of a volunteer force of 500,000 men, and made an appropriation of five hundred millions of dollars for its support. A call for the troops was immediately made; but so numerous were the offers that it was found difficult to discriminate in the choice, where the patriotism of the people demanded that there should be no restriction upon enlistments. Every portion of the loyal States desired to swell the army, and every community was anxious that it should be represented in a cause that appealed to the noblest impulses of our people.

So thoroughly aroused was the national heart, that I have no doubt this force would have been swollen to a million, had not the Department felt compelled to restrict it, in the absence of authority from the representatives of the people to increase the limited number. It will be for Congress to decide whether the army shall be further augmented, with a view to a more speedy termination of the war, or whether it shall be confined to the strength already fixed by law. In the latter case, with the object of reducing the volunteer force to 500,000, I propose, with the consent of Congress, to consolidate such of the regiments as may from time to time fall below the regulation standard. The adoption of this measure will decrease the number of officers, and proportionably diminish the expenses of the army.

It is said of Napoleon by Jomini that, in the campaign of 1815, that great general on the 1st of April had a regular army of 200,000 men. On the 1st of June he had increased this force to 414,000. The like proportion, adds Jomini, ''had he thought proper to inaugurate a vast system of defence, would have raised it to 700,000 men by the 1st of September.'' At the commencement of this rebellion, inaugurated by the attack upon Fort Sumter, the entire military force at the disposal of this Government was 16,006 Regulars, principally employed in the West to hold in check marauding Indians. In April, 75,000 volunteers were called upon to enlist for three months' service, and responded with such alacrity that 77,875 were immediately obtained. Under the authority of the act of Congress of July 22, 1861, the States were asked to furnish 500,000 volunteers to serve for three years, or during the war; and by the act approved the 29th of the same month, the addition of 25,000 men to the Regular Army of the United States was authorized. The result is, that we have now an army of upwards of 600,000 men. If we add to this the number of the discharged Three months' Volunteers, the aggregate force furnished to the Government since April last exceeds 700,000 men.

We have here an evidence of the wonderful strength of our institutions. Without conscriptions, levies, drafts, or other extraordinary expedients, we have raised a greater force than that which, gathered by Napoleon with the aid of all these appliances, was considered an evidence of his wonderful genius and energy, and of the military spirit of the French nation. Here every man has an interest in the Government, and rushes to its defence when dangers beset it.

By reference to the records of the Revolution it will be seen that Massachusetts, with a population of 350,000, had at one time 56,000 troops in the field, or over one-sixth of her entire people—a force greatly exceeding the whole number of troops furnished by all the southern States during that war. Should the present loyal States furnish troops in like proportion, which undoubtedly would be the case should any emergency demand it, the Government could promptly put into the field an army of over three millions.

It gives me great satisfaction to refer to the creditable degree of discipline of our troops, most of whom were, but a short time since, engaged in the pursuits of peace. They are rapidly attaining an efficiency which cannot fail to bring success to our arms. Officers and men alike evince an earnest desire to accomplish themselves in every duty of the camp and field, and the various corps are animated by an emulation to excel each other in soldierly qualities.

The conspiracy against the Government extended over an area of 733,144 square miles, possessing a coast line of 3,523 miles, and a shore line of 25,414 miles, with an interior boundary line of 7,031 miles in length. This conspiracy stripped us of arms and munitions, and scattered our navy to the most distant quarters of the globe. The effort to restore the Union, which the Government entered on in April last, was the most gigantic endeavor in the history of civil war. The interval of seven months has been spent in preparation.

The history of this rebellion, in common with all others, for obvious causes, records the first successes in favor of the insurgents. The disaster of Bull Run was but the natural consequence of the premature advance of our brave but undisciplined troops, which the impatience of the country demanded. The betrayal also of our movements by traitors in our midst enabled the rebels to choose and intrench their position, and by a reinforcement in great strength, at the moment of victory, to snatch it from our grasp. This reverse, however, gave no discouragement to our gallant people; they have crowded into our ranks, and although large numbers have been necessarily rejected, a mighty army in invincible array stands eager to precipitate itself upon the foe. The check that we have received upon the Potomac has, therefore, but postponed the campaign for a few months. The other successes of the rebels, though dearly won, were mere affairs, with no important or permanent advantages. The possession of Western Virginia and the occupation of Hatteras and Beaufort have nobly redeemed our transient reverses.

At the date of my last report the States of Delaware, Maryland, Kentucky, and Missouri were threatened with rebellion. In Delaware, the good sense and patriotism of the people have triumphed over the unholy schemes of traitors. The people of Kentucky early pronounced themselves, by an unequivocal declaration at the ballot-box, in favor of the Union; and Maryland, notwithstanding the efforts of bad men in power in the city of Baltimore, when the opportunity of a general election was afforded, under the lead of her brave and patriotic Governor, rebuked by an overwhelming majority the traitors who would have led her to destruction. In Missouri a loyal State government has been established by the people, thousands of whom have rallied to the support of the Federal authority, and, in conjunction with troops from other portions of the country, have forced the rebels to retire into the adjoining State. The government established in Virginia by the loyal portion of her population is in successful operation, and I have no doubt will be sustained by the people of the entire State whenever the thraldom of the rebel forces shall have been removed.

Thus has it been made clearly apparent that in whatever direction the forces of the Union have extended their protection, the repressed loyalty of the people, irresistibly manifesting itself, has aided to restore and maintain the authority of the Government; and I doubt not that the army now assembled on the banks of the Potomac, will, under its able leader, soon make such a demonstration as will re-establish its authority throughout all the rebellious States.

The loyal Governor of Virginia is proceeding to organize courts under the constitution and laws of the State in all her Eastern counties in the occupation of our troops. I respectfully suggest that authority should be given to the President to send commissioners with the army, with power to exercise all the functions of local government wherever the civil authority has ceased to exist, and especially to enforce the obligations of contracts, and the collection of debts due to loyal creditors.

As stated in my last Report, at the commencement of this rebellion the Government found itself deficient in arms and munitions of war, through the bad faith of those intrusted with their control during the preceding administration. The Armory at Harper's Ferry having been destroyed to prevent its possession and use by the rebels, the Government was compelled to rely upon the single armory at Springfield, and upon private establishments, for a supply of arms. Every effort has been made to increase the capacity of that armory, the greatest product of which, prior to these troubles, had never exceeded 800 muskets per month. In charge of an energetic and able Ordnance officer, the force being doubled, and operations vigorously prosecuted day and night, there were made at this establishment, during the past month of October, a total of 6,900 muskets; and it is confidently expected that 10,000 will be manufactured during the present month. On a recent visit, with a view to enlarge the capacity of the armory, I directed the purchase of a large quantity of machinery already finished, which, when put in operation, will enable this establishment to produce, during the next year, 200,000 stand of the justly celebrated Springfield rifles. I respectfully suggest the recommendation of a liberal appropriation by Congress for the purpose of yet further increasing the capacity of this Armory, believing that it can be made sufficient to supply all the muskets and rifles which the Government may hereafter need in any contingency. Located in a healthful country, in the midst of an industrious and ingenious people, where competent workmen can always be obtained without difficulty, and sufficiently near to all the materials needed in the manufacture of arms, it is at the same time accessible to every part of the country by water and railway communication.

After having made contracts for arms with the private establishments in this country, it was deemed necessary by the President, to insure a speedy and ample supply, to send a special agent to Europe with funds to the amount of two millions of dollars to purchase more. I am gratified to state that he has made arrangements for a large number of arms, part of which have already been delivered. The remainder will be shipped by successive steamers until all shall have been received.

Combinations among manufacturers, importers, and agents, for the sale of arms, have, in many cases, caused an undue increase in prices. To prevent advantage being thus taken of the necessities of the Government, Collectors of Customs have been directed to deliver to the agents of the United States all arms and munitions that may be imported into this country.

The demand for arms has called into existence numerous establishments for their manufacture throughout the loyal portion of the country, and it has been the policy of this Department to encourage the development of the capital, enterprise, and skill of our people in this direction. The Government should never have less than a million of muskets in its arsenals, with a corresponding proportion of arms and equipments for artillery and cavalry. Otherwise, it may, at a most critical moment, find itself deficient in guns while having an abundance of men.

I recommend that application be made to Congress for authority to establish a national foundry for the manufacture of heavy artillery at such point as may afford the greatest facilities for the purpose. While a sufficient number of cannon, perhaps, could be procured from private manufactories, the possession of a national establishment would lead to experiments which would be useful to the country, and prevent imposition in prices by the accurate knowledge that would be acquired of the real value of work of this character.

In my last report I called attention to the fact that legislation was necessary for the reörganization, upon a uniform basis, of the Militia of the country. Some general plan should be provided by Congress in aid of the States, by which our Militia can be organized, armed, and disciplined, and made effective at any moment for immediate service. If thoroughly trained in time of peace, when occasion demands, it may be converted into a vast army, confident in its discipline and unconquerable in its patriotism. In the absence of any general system of organization, upwards of 700,000 men have already been brought into the field; and, in view of the alacrity and enthusiasm that have been displayed, I do not hesitate to express the belief that no combination of events can arise in which this country will not be able not only to protect itself, but, contrary to its policy, which is peace with all the world, to enter upon aggressive operations against any power that may intermeddle with our domestic affairs. A committee should be appointed by Congress, with authority to sit during the recess, to devise and report a plan for the general organization of the Militia of the United States.

It is of great importance that immediate attention should be given to the condition of our Fortifications upon the seaboard and the Lakes, and upon our exposed frontiers. They should at once be placed in perfect condition for successful defence. Aggressions are seldom made upon a nation ever ready to defend its honor and to repel insults; and we should show to the world, that while engaged in quelling disturbances at home we are able to protect ourselves against attacks from abroad.

I earnestly recommend that immediate provision be made for increasing the corps of Cadets to the greatest capacity of the Military Academy. There are now only 192 cadets at that important institution. I am assured by the Superintendent that 400 can at present be accommodated, and that, with very trifling additional expense, this number may be increased to five hundred. It is not necessary, at this late day, to speak of the value of educated soldiers. While, in time of war or rebellion, we must ever depend mainly upon our Militia and Volunteers, we shall always need thoroughly trained officers. Two classes having been graduated during the present year, in order that the service might have the benefit of their military education, I had hoped that Congress, at its extra session, would authorize an increase of the number. Having failed to do so, I trust that at the approaching session an increase will be authorized, and that the selection of cadets will be limited exclusively to those States which, co-operating cordially with the Government, have brought their forces into the field to aid in the maintenance of its authority.

In this connexion, justice requires that I should call attention to the claims of a veteran officer, to whom, more than to any other, the Military Academy is indebted for its present prosperous and efficient condition. I allude to Colonel Sylvanus Thayer, of the Engineer corps, who now, by reason of advanced years and faithful public services, is incapacitated for duty in the field. Under the recent law of Congress he may justly claim to be retired from active service; but, believing that his distinguished services should receive some mark of acknowledgment from the government, I recommend that authority be asked to retire him upon his full pay and emoluments.

The health of an army is a consideration of the highest consequence. Good men and women in different States, impelled by the highest motives of benevolence and patriotism, have come in aid of the constituted sanitary arrangements of the government, and been greatly instrumental in diminishing disease in the camps, giving increased comfort and happiness to the life of the soldier, and imparting to our hospital service a more humane and generous character. Salubrity of situation and pleasantness of surroundings have dictated the choice of the hospital sites, and establishments for our sick and wounded, of which we have every reason to be proud, have been opened in St. Louis, Washington, Georgetown, Baltimore, and Annapolis, and will be attached to every division of the army in the field. To the close of the war vigilant care shall be given to the health of the well soldier, and to the comfort and recovery of the sick.

I recommend that the system of promotions which prevails in the Regular service be applied to the Volunteer forces in the respective States; restricting, however, the promotions to men actually in the field. At present each Governor selects and appoints the officers for the troops furnished by his State, and complaint is not unfrequently made, that when vacancies occur in the field, men of inferior qualifications are placed in command over those in the ranks who are their superiors in military experience and capacity. The advancement of merit should be the leading principle in all promotions, and the Volunteer soldier should be given to understand that preferment will be the sure reward of intelligence, fidelity, and distinguished service.

The course above recommended has been pursued by this Department, and it is my intention, so far as is in my power, to continue a system which cannot fail to have a most beneficial effect upon the entire service.

By existing laws and regulations an officer of the Regular army ranks an officer of Volunteers of the same grade, notwithstanding the commission of the latter may be of antecedent date. In my judgment, this practice has a tendency to repress the ardor and to limit the opportunity for distinction of Volunteer officers, and a change should be made by which seniority of commission should confer the right of command.

I submit for reflection the question, whether the distinction between Regulars and Volunteers which now exists, should be permitted to continue. The efficiency of the army, it appears to me, might be greatly increased by a consolidation of the two during the continuance of the war, which, combining both forces, would constitute them one grand army of the Union.

Recruiting for the Regular army has not been attended with that success which was anticipated, although a large number of men have entered this branch of the service. While it is admitted that soldiers in the Regular army, under the control of officers of military education and experience, are generally better cared for than those in the Volunteer service, it is certain that the popular preference is largely given to the latter. Young men evidently prefer to enter a corps officered by their friends and acquaintances, and, besides the bounty granted to volunteers in most of the States, inducements are often directly offered to them by those whose commissions depend upon their success in obtaining recruits. In addition, the Volunteer is allowed to draw his full pay of $13 per month, while by law $2 per month are deducted from the pay of the Regular, to be returned to him at the end of his term of service. In my judgment, this law should be repealed, and the Regular soldier be allowed to receive his full pay when due. He should also receive either a reasonable bounty upon enlisting, or an advance of $20 of the $100 which a law of the last session of Congress grants to regulars and volunteers on the expiration of their periods of service. This would doubtless stimulate enlistments, as it would enable the soldier to make some provision for those dependent upon him for support until he receives his pay.

By the Act approved August 5, 1861, the President is authorized to appoint as many aids to Major Generals of the Regular army, acting in the field, as he may deem proper. The number of aids, in my opinion, should be limited, and no more should be allowed to each Major General than can be advantageously employed upon his own proper staff. Much expense would thus be saved, and the Executive and this Department would be relieved of applications very embarrassing from their nature and extent.

The fifth section of the Act approved September 28, 1850, makes the discharge of minors obligatory upon this Department, upon proof that their enlistment was without the consent of their parents or guardians. In view of the injurious operation of this law, and of the facilities which it opens to frauds, I respectfully urge its early repeal. Applications for discharges of minors can then be determined either by this Department, in accordance with such regulations as experience may have shown to be necessary, or by the civil tribunals of the country.

The employment of Regimental Bands should be limited; the proportion of musicians now allowed by law being too great, and their usefulness not at all commensurate with their heavy expense.

Corporations, like individuals, are liable to be governed by selfish motives in the absence of competition. An instance of this kind occurred in the management of the railroads between Baltimore and New York. The sum of $6 was charged upon that route for the transportation of each soldier from New York to Baltimore. As this rate seemed extravagant to the Department, when considered in connexion with the great increase of trade upon these roads, made necessary by the wants of the Government, inquiry was made concerning the expediency of using the roads from New York to Baltimore, *via* Harrisburg. The result was an arrangement by which troops were brought by the last-named route at $4 each; and, as a consequence, this rate was at once necessarily adopted by all the railroads in the loyal States, making a saving to the Government of 33⅓ per cent. in all its transportation of soldiers, and at the same time giving to the Railroads, through increased business, a liberal compensation.

The Railroad connexion between Washington and Baltimore has been lately much improved by additional sideings, and by extensions in this city. In order, however, that abundant supplies may always be at the command of the Department, arrangements should be made for laying a double track between this city and Annapolis Junction, with improved sideings and facilities at Annapolis and along the Branch road.

Should the navigation of the Potomac river be interrupted by blockade, or the severities of winter, it would become absolutely necessary, for the proper supply of the troops in the District of Columbia and vicinity, and of the inhabitants of this city, to provide additional railroad connexion between Washington and Baltimore. A responsible company, with a charter from the State of Maryland, have proposed to do this upon condition that the Government will indorse their bonds; they binding themselves to set aside annually a sufficient sum for their redemption at maturity, and thus eventually release the Government from any liability whatever, and to charge, for transportation, rates in no case to exceed four cents a ton per mile for freight, and three cents per mile for passengers. During the continuance of the war, however, their charge for passengers is not to exceed two cents per mile. The charge for the transportation of passengers between the two cities is at present 3¾ cents per mile, and for freight, the rates per ton will average from five to eight cents per mile. The large saving to the Government in cost of transportation, would amply compensate for all liability, and give to the citizens of all the loyal States greatly improved facilities for reaching the national capital, and at much less rates than they are now compelled to pay. To the citizens of the District it would cheapen the cost of supplies, and prove of immense value in every respect.

I recommend that a Railway be constructed through this city from the Navy Yard, by the Capitol, to Georgetown, forming connexions with the existing railroad depots, and using the Aqueduct bridge for the purpose of crossing the river at Georgetown. By a junction of this proposed railway with the Orange and Alexandria railroad, not only would the communication with our troops in Virginia be greatly improved, but an easy access be obtained to the Baltimore and Ohio railroad near Harper's Ferry, by means of the Loudon and Hampshire railroad. To its importance as affording facilities for moving troops and supplies in time of war, may be added the future benefits it would confer upon the District of Columbia. The outlay required would be saved in a few months by enabling the Government to dispense with the expensive ferry at Georgetown, and by greatly decreasing the costly wagon transportation of the army through this city.

The injuries to railroads, instigated by the rebel authorities of Baltimore, in order to embarrass communication with the North and West, *via* Harrisburg, and with the East, *via* Philadelphia, have been repaired by the different companies that own them. That portion of the Baltimore and Ohio railroad West of Harper's Ferry which was so ruthlessly destroyed by the rebels, has not yet been restored. The great interests of trade require that this road should be re-opened as speedily as possible by the company, for the transportation of the immense surplus of the agricultural productions of the West. To aid this object the Department has tendered to the company a sufficient force for its protection during the progress of the work, and will render such facilities as it may be able to provide, in connexion with its other important public duties.

For the purpose of facilitating the transportation of supplies to Alexandria and to points beyond, it has been found necessary to rebuild portions of the Orange and Alexandria and the Loudon and Hampshire railroads, and to lay a track from the Railroad depot to a point on the Potomac river, in this city.

Under an appropriation granted for that purpose at the last session of Congress, a Telegraphic Bureau was established, and has been found of the greatest service in our military operations. Eight hundred and fifty-seven miles of telegraphic line have been already built and put in operation, with an efficient corps of operators, and a large extension is now in process of construction.

Congress, at its late session, made an appropriation for the reconstruction of the Long Bridge across the Potomac, which, in its then dilapidated condition, was unsafe for military purposes. The work, which has been carried on without interruption to trade or travel, is rapidly approaching completion, and, when finished, will be a substantial structure.

On the first of the present month Lieutenant General Winfield Scott voluntarily relinquished his high command as General-in-chief of the American army. He had faithfully and gallantly served his country for upwards of half a century, and the glory of his achievements has given additional lustre to the brightest pages of our national annals. The affections of a grateful people followed him into his retirement. The President immediately conferred the command of the army upon the officer next in rank. Fortunately for the country, Major General McClellan had proved himself equal to every situation in which his great talents had been called into exercise. His brilliant achievements in Western Virginia, the untiring energy and consummate ability he has displayed in the organization and discipline of an entirely new army, have justly won for him the confidence and applause of the troops and of the nation.

Extraordinary labor, energy, and talent have been required of the various Bureaus of this Department to provide for the wants of our immense army. While errors may have been occasionally committed by subordinates, and while extravagant prices have undoubtedly in some cases, controlled by haste and the pressure of rapid events, been paid for supplies, it is with great gratification that I refer to the economical administration of affairs displayed in the various branches of the service. Our forces had not only to be armed, clothed, and fed, but had to be suddenly provided with means of transportation to an extent heretofore unparalelled. While I believe that there is no army in the world better provided for in every respect than our Regulars and Volunteers, I candidly think that no force so large, and so well equipped, was ever put in the field in so short a space of time at so small an expense.

While it is my intention to preserve the strictest economy and accountability, I think the last dollar should be expended and the last man should be armed to bring this unholy rebellion to a speedy and permanent close.

The geographical position of the metropolis of the nation, menaced by the rebels, and required to be defended by thousands of our troops, induces me to suggest for consideration the propriety and expediency of a reconstruction of the boundaries of the States of Delaware, Maryland, and Virginia. Wisdom and true statesmanship would dictate that the seat of the National Government, for all time to come, should be placed beyond reasonable danger of seizure by enemies within, as well as from capture by foes from without. By agreement between the States named, such as was effected, for similar purposes, by Michigan and Ohio, and by Missouri and Iowa, their boundaries could be so changed as to render the Capital more remote than at present from the influence of State governments which have arrayed themselves in rebellion against the Federal authority. To this end, the limits of Virginia might be so altered as to make her boundaries consist of the Blue Ridge on the East and Pennsylvania on the North, leaving those on the South and West as at present. By this arrangement, two counties of Maryland (Alleghany and Washington) would be transferred to the jurisdiction of Virginia. All that portion of Virginia which lies between the Blue Ridge and Chesapeake bay could then be added to Maryland, while that portion of the peninsula between the waters of the Chesapeake and the Atlantic, now jointly held by Maryland and Virginia, could be incorporated into the State of Delaware. A reference to the map will show that these are great natural boundaries, which, for all time to come, would serve to mark the limits of these States.

To make the protection of the Capital complete, in consideration of the large accession of territory which Maryland would receive under the arrangement proposed, it would be necessary that that State should consent so to modify her constitution as to limit the basis of her representation to her white population.

In this connexion, it would be the part of wisdom to reannex to the District of Columbia that portion of its original limits which by act of Congress was retroceded to the State of Virginia.

It is already a grave question what shall be done with those slaves who were abandoned by their owners on the advance of our troops into southern territory, as at Beaufort district, in South Carolina. The number left within our control at that point is very considerable, and similar cases will probably occur. What shall be done with them? Can we afford to send them forward to their masters, to be by them armed against us, or used in producing supplies to sustain the rebellion? Their labor may be useful to us; withheld from the enemy it lessens his military resources, and withholding them has no tendency to induce the horrors of insurrection, even in the rebel communities. They constitute a military resource, and, being such, that they should not be turned over to the enemy is too plain to discuss. Why deprive him of supplies by a blockade, and voluntarily give him men to produce them?

The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The Representatives of the People will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country.

SIMON CAMERON,
Secretary of War.

To the PRESIDENT.

REPORT OF THE PAYMASTER GENERAL.

Paymaster General's Office,
December 2, 1861.

Sir: I have the honor to submit herewith a report of the transactions of the pay department for the fiscal year ending June 30, 1861. It is shown by the tabular statements herewith that there remained in the hands of paymasters on the 30th of June, 1860, applicable to payments in the first quarter of the last fiscal year, the sum of $454,724 93, in addition to which they have received from the treasury and other sources, exclusive of amounts transferred from one to another, or repaid into the treasury, the sum of $5,220,299 64, making a total to be accounted for of $5,675,024 60, expended as follows:

Payments to regular troops	$4,149,393 49
Payments to volunteers	504,896 23
Payments to Military Academy	110,091 54
	4,764,381 26

Leaving a balance of $910,643 34 to be accounted for. This balance, it is believed, has generally been expended and accounted for since the commencement of the present fiscal year. The troops, as far as I can learn, have been paid with commendable punctuality, with the exception of those serving in the field, or at remote stations, inaccessible during the winter months. The troops have all been paid to the close of the fiscal year, and many to the close of August.

I deem it my duty to report that, from the immense accumulation of business in my office, it will be impossible to get along with my present clerical force, and I respectfully request that I may be authorized by law to employ six or eight additional clerks, half of the first and half of the second class. They should be selected with great care, as we require rapid writers and good accountants.

Respectfully, your obedient servant,

BENJAMIN F. LARNED,
Paymaster General

Hon. S. Cameron, *Secretary of War.*

REPORT OF THE SURGEON GENERAL.

SURGEON GENERAL'S OFFICE,
November 13, 1861.

SIR: I have the honor to submit to you a report upon the fiscal transactions, and other matters relating to the medical department of the army, for the year ending the 30th June, 1861.

The amount of the appropriation for the medical and hospital department remaining on the 30th June, 1860, was—

In the hands of disbursing agents	$3,787 82
In the treasury of the United States	46,266 82
Amount appropriated per act approved 21st June, 1860, for the current expenses of the medical and hospital department for the year ending June 30, 1861	76,225 50
Amount refunded into the treasury	26 17
Amount appropriated per act approved 2d March, 1861, for the current expenses of the medical and hospital department for the year ending June 30, 1862, anticipated to meet circumstances growing out of the rebellion of the southern States	115,000 00
	241,306 31

Of this sum there has been expended on account of the pay and other claims of private physicians—

Contracted in 1848	$177 41	
Contracted in 1854	340 00	
Contracted in 1856	155 00	
Contracted in 1859	380 00	
Contracted in 1860	5,947 98	
Contracted in 1861	13,108 50	
		$20,088 89

On account of medical and hospital supplies—

Contracted in 1848	62 50	
Contracted in 1857	33 90	
Contracted in 1858	459 05	
Contracted in 1859	267 10	
Contracted in 1860	10,300 79	
Contracted in 1861	162,914 54	
		174,037 88
Leaving in the hands of disbursing agents	6,006 62	
In the treasury of the United States	41,172 92	
		47,179 54
		241,306 31

The total amount of funds available for the service of the medical and hospital department of the army during the year ending June 30, 1861, was two hundred and forty-one thousand three hundred and six dollars and thirty-one cents, ($242,306 31,) and the expenditures of that year amounted to one hundred and ninety-four thousand and twenty-six dollars and seventy-seven cents, ($194,126 77,) leaving a balance of six thousand and six dollars and sixty-two cents ($6,006 62) in the hands of disbursing agents, and forty-one thousand one hundred and seventy-two dollars and ninety-two cents ($42,172 92) in the treasury of the United States.

Of the total sum expended during the fiscal year embraced in this report, twenty thousand and eighty-eight dollars and eighty-nine cents ($20,088 89) were paid on account of the pay and other claims of private physicians, and one hundred and seventy-four thousand and thirty-seven dollars and eighty-eight cents ($174,037 88) for medical and hospital supplies and for the pay of hospital cooks and nurses.

The accompanying "annual report of the sick and wounded of the army of the United States for the year ending June 30, 1861," as consolidated from the quarterly reports required in this office from the medical officers of the army, shows the following results:

At the commencement of the year there were six hundred and forty-eight (648) officers and enlisted men remaining on the sick report, of whom three hundred and four (304) were reported as sick and three hundred and forty-four (344) as convalescent; and the number of cases of diseases and wounds that occurred during the year was thirty thousand eight hundred and seventy-nine, (30,879,) making an aggregate of thirty-one thousand five hundred and twenty-seven (31,527) that have been under medical treatment within the stated period.

The mean strength of the army during the year, according to the returns in this office, was thirteen thousand and twenty-eight (13,028.)

From the above data it follows that the number of cases of disease and wounds to the number of officers and enlisted men was 2.37 to one.

For the same period the ratio of deaths (120) to the mean strength of the army (13,028) was 1 in 108.57, or 0.92 per cent.; and the proportion of deaths to the aggregate number of cases treated (31,527) was 1 in 262.72, or 0.38 per cent.

Only one year (1845) in the preceding twenty-one years shows a less mortality than the present one.

An army medical board, consisting of three surgeons, was convened at New York in May last, for the examination of candidates for appointment in the medical staff of the army. One hundred and fifty-six candidates were invited by the Secretary of War to appear before that board for examination, one hundred and seventeen of whom reported in person. Ten of this number the board declined to examine, on account of physical disqualification, twenty-seven voluntarily withdrew before their examinations were concluded, two withdrew without examination, and seventy-eight were fully examined, sixty-three of whom have been approved.

These approved candidates have all been appointed except two, one of them declining the appointment.

Another medical board was organized by your direction for the examination of applicants for the position of surgeon of brigade. It was convened in this city on the 20th of June, and is still in session. The proceedings of this board, as shown by the reports received to the present date in this office, are as follows: They examined 130 candidates, of whom 110 were approved and 20 rejected. Of the number of approved candidates 107 have received their appointments as surgeon of brigade: two of them, after having been appointed, have resigned, leaving 105 in service at the present date.

As, on account of the many casualties in the medical department of the army, it was deemed expedient to have a number of approved candidates from whom to appoint to vacancies as they occur, this board was at my request authorized by the War Department to examine also candidates for admission into the medical staff of the army. Seventeen have been invited to appear before it for examination, but the board not having concluded their labors, and not being able to furnish the merit roll of the candidates before they are all examined, no report has been received in this office.

In an act approved August 3, 1861, entitled, "An act for the better organization of the military establishment," a corps of medical cadets, to be attached to the medical staff of the army, was provided for by the following section, viz.:

"Sec. 5. *And be it further enacted,* That there be added to the medical staff of the army a corps of medical cadets, whose duty it shall be to act as dressers in the general hospitals and as ambulance attendants in the field, under the direction and control of the medical officers alone. They shall have the same rank and pay as the military cadets at West Point. Their number shall be designated by the exigencies of service, at no time to exceed fifty. It shall be composed of young men of liberal education, students of medicine, between the ages of eighteen and twenty-three years, who have been reading medicine for two years, and have attended at least one course of lectures in a medical college. They shall enlist for one year, and be subject to the rules and articles of war. On the fifteenth day of the last month of their service, the near approach of their discharge shall be reported to the surgeon general, in order, if desired, that they be relieved by another detail of applicants."

In accordance with the provisions of this section, notice was given that examinations of candidates for admission into this corps would be held in the cities of Washington and New York by the army medical boards there in session. Of a great number of applicants, sixty-six (66) were found to be qualified for examination, and were invited to appear before the boards; of this number forty-eight (48) were approved by the examiners and were appointed, seven (7) failed to present themselves, one declined an appointment after having been approved, seven (7) were rejected, not coming up to the standard required, and three are awaiting examination for the remaining vacancies.

All of those appointed are now actively employed; they have been found to be of great service in the field and in hospitals, increasing the efficiency of the medical department by an intelligent assistance, and gleaning for themselves an amount of knowledge impossible to be attained by the study of their profession in civil life, except at the cost of the labor of years.

As no provision is made by the act for the subsistence of medical cadets, it is therefore respectfully recommended that they be allowed one ration each per diem. There is also no allowance of camp and garrison equipage for their accommodation in the field. They should have the same as is now allowed subalterns of the army. It is respectfully recommended that this deficiency be supplied.

In view of the advantages derived from the employment of this body of young men, and the increased comfort that can be afforded by their means to the sick and wounded of our brave army, it is respectfully recommended that fifty more cadets be added to the corps, to be appointed in the same manner and to enjoy the same privileges and emoluments as those already in service.

In view of the increased strength of the companies and regiments, I would recommend that there be added to the medical staff of each regiment of volunteers an assistant surgeon, making the medical force of each regiment one surgeon and two assistant surgeons; and that the professional services of the surgeon of brigade be made available when there is a deficiency of medical officers of regiments or whenever other circumstances, in the opinion of the surgeon general or medical director may require it. I would also recommend that the medical corps of the regular army be increased by the promotion of the ten senior assistant surgeons to surgeons, and the appointment of thirty additional assistant surgeons.

Previous to the battle of Bull Run every soldier doing duty in the general hospitals was ordered into the field without warning, leaving the sick without attendance. To prevent a recurrence of such an event I recommend that the surgeon general be authorized to hire for each general hospital as many attendants as may be required, not exceeding one to every ten beds; that they have the pay and allowances of a private of cavalry; be mustered by the medical officer in charge of the hospital; be subject, whilst in service, to the rules and articles of war, and to the orders of medical officers alone, and to be discharged for misconduct by the surgeon general.

And that to the organization of each company there be added two enlisted men who shall attend to the sick in the field under the orders of the regimental surgeon.

Before closing this report I would respectfully and earnestly present to the attention and consideration of the Secretary of War the inequality of rank, in proportion to the services and exposures that obtain in the medical corps of the regular army compared with other branches of the general staff.

Very respectfully, your obedient servant,

C. A. FINLEY,
Surgeon General.

Hon. SIMON CAMERON,
Secretary of War.

REPORT

OF THE

COMMISSARY GENERAL OF SUBSISTENCE.

Office of the Commissary General of Subsistence,
Washington, November 26, 1861.

Sir: I have the honor to submit a report of the operations of this department during the past year.

In so doing I shall briefly state that the early portion of the year was marked by no material changes in the operations of the department from those of previous years; and the first action of the department to which I would ask your attention was caused by the isolation of Washington in April, rendering immediate action in relation to the supply of fresh beef at this place necessary. Invitations for bids were requested verbally, for which there were two responses; but when called upon to enter into a contract, the lowest bidder withdrew. A contract was then made with A. H. Sibley, Thomas Dyer, George W. Lawman, and H. Tyler for from 2,000 to 10,000 head of cattle, to be delivered at Washington, or at some point in Pennsylvania, at five and three-quarters cents per pound, gross, for those delivered in Pennsylvania, and at eight cents per pound, gross, for those delivered in this city. Under this contract 500 head were ordered to be delivered in this city and 1,500 at Harrisburg. A few more than 500 were received in this city, under your instructions, the excess being *in transitu* to this place before the order to suspend further shipments here was received. The remainder of the 2,000 were delivered at Harrisburg.

I have been thus particular in relation to this contract, inasmuch as the opening of railroad communication after it was made, by materially changing the state of affairs, caused it to be a very profitable one to the contractors, and because of a *report* that, after such communications were opened, the whole 10,000 head were received. Such was not the case. New contracts for beef cattle have been since made, and at low rates, by the usual method of advertising and receiving bids; but the exigencies existing at the time the first contract was made precluded delay.

The large army collected at this place has been principally supplied with subsistence, and of excellent quality, by advertising, when time would permit, from the markets of New York and Baltimore. This course was resorted to not only from the large choice those markets afford, but also to prevent the blocking up of the railroads leading to this city,

For the latter reason, as well as for others which will readily suggest themselves, the flour for this army has been principally procured, by advertisement, from the mills of Georgetown and its vicinity.

Ovens have been erected, under the orders of the department, and the army supplied with fresh bread of excellent quality. It is believed that no army of equal size was ever so well provided with subsistence.

I regret to say that the information in the possession of this office does not permit me to speak as fully in relation to other armies. From the want of full reports much is unknown.

In the department of the west the stores have been principally procured in St. Louis, in the same manner as in New York. A contract was made, under the direction of General Frémont, for all the beef to be supplied in that department, but which, not meeting the approbation of this office, was annulled; the commissary at St. Louis being directed to issue proposals for several different contracts in that department. The action under these instructions has not yet reached this office.

The troops at Cairo and its vicinity appear to have been well supplied.

But little is known of the state of the department in Western Virginia, except that at one period they were badly provided with subsistence. That army should have received supplies from Cincinnati. Through some mistake in instructions as to the proper depot, and the difficulty of transportation over the mountain roads, provisions with it were scarce. It is hoped and believed that this difficulty has now been remedied.

The troops in Kentucky are being furnished with subsistence, by advertisement, through the markets of Louisville and Cincinnati. A contract for a supply of fresh beef for them has been made at a low rate.

Some confusion has prevailed in the operations of the department from the total ignorance of their duties by many of the brigade commissaries appointed from civil life, and many irregularities in their accounts have and will continue to occur until experience has given them knowledge.

Great irregularity in this department has also occurred in the raising of volunteers, but less than should have been expected when the sudden uplifting of such a force in so short a time is considered.

The few regular officers of the corps have had a very responsible and laborious course of duties imposed upon them, and have performed those duties in a very satisfactory manner. Upon them have been thrown all the heaviest disbursements; and these, so far as is known to this office, have been made faithfully, and, on their parts, with integrity.

In closing this report it becomes my duty to allude to the loss the corps has sustained in the death of its distinguished chief, Brevet Major General George Gibson. The founder of the corps, he wielded the affairs of the department for more than forty years with integrity and ability, and by his amiable manners and kindly heart won for it great popularity in the army and the entire confidence of the country. That it may ever deserve that confidence is my earnest wish.

Very respectfully, your most obedient servant,

J. P. TAYLOR,
Commissary General of Subsistence.

Hon. SIMON CAMERON,
Secretary of War.

REPORT OF THE QUARTERMASTER GENERAL.

QUARTERMASTER GENERAL'S OFFICE.
Washington, November 28, 1861.

SIR: I have the honor to submit the usual annual report of the operations of the quartermaster's department during the fiscal year ending on the 30th of June, 1861.

On the 30th of June, 1860, the termination of the preceding fiscal year, the balances in the hands of officers acting in this department amounted, as stated in the last annual report from this office, to		$756,356 15
To which are to be added—		
1st. Remittances, third quarter 1860	$1,940,358 00	
Remittance, fourth quarter 1860	1,616,953 15	
Remittance, first quarter 1861	1,434,793 00	
Remittance, second quarter 1861	4,739,628 08	
		9,731,732 23
2d. Proceeds of sales of property, rent of buildings, &c		114,945 37
Total amount to be accounted for		10,603,033 75
From which are to be deducted—		
1st. Expenditures, viz: prior to the fiscal year, the accounts for which were not received in time for the last annual report	$791,238 41	
In the first quarter of the fiscal year	1,240,202 12	
In the second quarter of the fiscal year	1,469,521 23	
In the third quarter of the fiscal year	982,555 37	
In the fourth quarter of the fiscal year	3,582,601 17	
	8,066,118 30	
2d. Deposits to the credit of the Treasurer	317 49	
		8,066,435 79
Balance, June 30, 1861		2,536,597 96

On the 30th of June, 1861, there remained in the hands of officers of this department $2,536,597 96; which is made up as follows:

1st. Amount in the hands of officers who have resigned, or been dismissed the service, (as ascertained from receipts rendered by officers whose accounts have been received and examined,) $58,323 34.

This sum is principally in the hands of officers who have resigned and taken up arms against the government, and is entirely lost to the department. It will probably be found to be much greater when the returns are fully completed and examined.

2d. Amount in the hands of officers from whom no accounts have been received (as ascertained from receipts rendered by officers whose accounts have been received and examined,) $126,296 50.

Some of this will probably be accounted for hereafter, but a great portion, consisting of differences and errors of long standing, will never be recovered.

3d. Amount of requisitions drawn in favor of officers from whom no acknowledgments have been received, $943,534. The greater portion of this, though remitted within the last fiscal year, could not have been received at its termination, and will be accounted for hereafter.

4th. The remainder, to wit: $1,408,444 12, is distributed among the officers and agents disbursing at the various posts and stations, and in the field, and is applicable to the payment of debts contracted during the year and remaining unpaid, by which it will undoubtedly be absorbed.

The amounts paid during the year, including those for purchases made and services rendered in the preceding year, and not included in the last annual report, so far as the accounts have been received, were—

1st. For regular supplies, viz:		
Fuel	$253,799 39	
Forage	1,474,304 70	
Straw	19,858 96	
Stationery	20,317 04	
Making a total of		$1,768,280 09
2d. For incidental expenses of the army:		
Postages	13,251 34	
Expenses of courts-martial	9,232 18	
Expresses and escorts	21,669 33	
Burial expenses	1,519 22	
Guides, interpreters and spies	43,061 63	
Clerks and agents	70,894 70	
Wagon and forage masters	6,164 49	
Laborers	99,829 36	
Soldiers on constant labor	124,284 61	
Hire of veterinary surgeons	168 50	
Office furniture	4,317 17	
Medicines for horses and other animals	2,493 39	
Forges, blacksmiths' and shoeing tools	2,332 95	
Horse shoe nails, iron and steel	20,006 47	
Recovering stray horses	5,275 12	
Apprehending deserters	9,094 91	
Making a total of		433,595 37
3d. Dragoon horses		157,124 75
4th. Barracks and quarters:		
For rents	125,211 92	
For construction and repairs	351,595 01	
Making a total of		476,806 93
5th. Mileage or transportation of officers		127,615 39
6th. Transportation:		
Of clothing	48,918 77	
Of ordnance	86,875 22	
Of subsistence	586,774 96	
Of troops and supplies	3,044,517 79	
Making a total of		3,767,086 74
7th. For purchase of stoves		8,436 95
8th. For materials for, and amount expended in the preparation of clothing, camp and garrison equippage		1,261,701 67
9th. Special appropriations and expenditures for other departments, viz:		
For building Fort Abercombie	12,020 53	
For barracks at Baton Rouge	4,060 60	
For barracks at Fort Mackinac	2,218 63	
For reconstruction of stables, &c., at Carlisle	7,854 68	
For magazine, hospital, &c., at Key West	12,871 86	

For Military Academy	$17 66	
For Mountain Meadow massacre	24 00	
For medical department	7,483 20	
For subsistence department	8,365 22	
For ordnance department	526 02	
For engineer department	3,716 12	
For revenue service	27 00	
For recruiting service	287 75	
For army contingencies	11,432 50	
Making a total of		$70,905 77
		8,071,553 66
Amount of errors ascertained in officers' accounts		5,435 36
Total expenditure		8,066,118 30

The disturbance in the means of communication, the desertion of some officers, the capture of others by the rebels, the great increase of business caused by the sudden raising, organizing and equipping of the large army brought into the field in the early part of the year 1861, have much increased the amount of money charged as in the hands of officers of the department at the end of the fiscal year. No doubt is entertained that those who remain loyal to their government will fully account as heretofore for the money intrusted to them.

I assumed charge of this department on the 13th of June, just before the end of the fiscal year; and while regretting the loss of the services of many valuable officers, who have been promoted to higher rank, and, I hope, though I doubt it, to higher usefulness, in the organization of the vast force of regulars and volunteers called into the service, I desire to bear testimony to the zeal, fidelity and intelligence with which its loyal officers have executed the trusts committed to them.

Their intelligence and efficiency have caused them to be sought by the government of this Union, and by the State governments, to take command of brigades and regiments, to act as inspectors general, and in other positions of rank until the department finds itself seriously embarrassed for want of officers of experience and knowledge.

The business of the department is very large and complicated; upon its faithful execution the health, efficiency, and mobility of all armies very much depend. I trust that some mode may be devised by which those officers who, from a feeling of devotion and patriotism, have continued to discharge its most laborious and important duties, may receive such increase of rank and emolument as will place them more nearly on a level with their late companions, who have accepted promotion and been transferred to positions of higher rank, but whose duties are less laborious and difficult.

The clerical force of the department is not large enough for the speedy examination of the accounts and reports of the various officers, and the rooms in which the office is now located are too small to admit at present of a greater force. A larger office and a great increase in the number of its clerks are absolutely necessary to the quick despatch of business, and to the proper filing and preservation of its records.

The business of the office has increased twenty fold. An army of over 500,000 men, engaged in active operation over so wide a field is to be supplied by the office, which was scarcely adequate in its force and accommodations to the supply of the old army of less than 20,000.

I have the honor to be, very respectfully, your obedient servant,

M. C. MEIGS, *Quartermaster General.*

Hon. SIMON CAMERON, *Secretary of War.*

REPORT OF OPERATIONS UPON CAPITOL EXTENSION, &c.

NOVEMBER 26, 1861.

By order of the Hon. J. Holt, Secretary of War, of 27th February, 1861, I resumed the charge of the Capitol extension, new dome, and Post Office extension, from which I had been relieved by order of the then Secretary of War, Mr. John B. Floyd, of the 1st November, 1859.

The outbreak of the rebellion, calling for all the resources of the nation to preserve its existence, made it necessary to suspend works not of absolute necessity, and the force employed upon these public buildings by the United States was reduced to a minimum needed for the preservation of the buildings, the materials and property, and the official papers, accounts, and records of the office.

Debts due were paid off as far as possible with the funds which I found available.

The expenditure since I resumed charge of the works has been:

For Capitol extension	$61,509 80
For new dome	32,252 98
For Post Office building	10,908 37

Having been called upon, about the 1st of April, to accompany a military expedition to the Gulf of Mexico, I, with the consent of the government, appointed Captain (now Lieutenant Colonel) J. N. Macomb, United States corps of topographical engineers, my attorney, to act in my place until I could again give personal attention to these works. I am under great obligations to him for the care, fidelity, and intelligence with which he has discharged the trust thus committed to him.

The condition of the buildings may be briefly stated as follows:

The main body of the wings of the Capitol is completed, except the erection of parts of the balustrade over the cornice and the erection of the colonnades and steps.

The building has been in use for some years, and has realized all that I undertook to accomplish in regard to light, warmth, ventilation, and fitness for debate and legislation.

The health of the legislative bodies has been better, more business has been accomplished in the same time than in the old halls, and when order is preserved, there is no difficulty in either of the legislative chambers in hearing any speaker of moderate voice and tolerable articulation even when the galleries are densely crowded.

The debates preceding the outbreak of the rebellion attracted crowds of the people to the spacious galleries, where they were able to hear the words of those who then debated the greatest questions discussed in our Congress since the revolution.

Information has reached me of the completion at Munich of the bronze doors by Rogers.

The dome has made considerable progress; the temporary roof which covers the rotunda has been raised above the windows of the peristyle, and the rotunda is now well lighted.

A contract was made for this work under the direction of Secretary Floyd, which appears to have been made illegally. The work was done, however, and the matter having been referred to Captain Franklin, the late superintendent, and myself, a settlement was recommended and adopted on terms which appeared to be the most equitable possible under the circumstances. At the same time the contractor was directed to cease work, and though he has preferred to employ a small force in putting up some of the iron which he had already prepared, he was notified that, if he chose to do this, it must be done at his own expense and risk, and subject to any order that may hereafter be taken by the government in the case.

The bronze statue of Freedom is still in progress.

The exterior of the Post Office building is completed. The heating and ventilating apparatus has been put in operation, and works satisfactorily. It has not yet been applied to the old portion of the building.

Many of the rooms are occupied, but the stairs, the rooms on the east front, and the upper story of the north front are unfinished; they have been used as storerooms for the commissariat during the occupation of the city by troops.

The Capitol extension was at one time used as quarters for troops. The little injury done by them to the walls has been repaired by the authorities to whose care the finished portion of the building had been transferred.

The entire expenditure during the year ending 30th September, 1861, for the Capitol extension has been	$251, 891 97
On account of the new dome	144, 597 97
On account of the Post Office extension	21, 494 24

No appropriation is asked for the Capitol extension or new dome, both of which are advanced sufficiently to be completely in use. I cannot recommend that at a time when the nation is borrowing money to preserve its existence, this borrowed money should be applied to completing the decorative construction alone of this great building. In the Post Office extension, however, there are many rooms unfinished, and therefore unfit to be occupied as public offices.

The vast increase of the business of the public departments consequent upon the war makes the completion of this building very important. I therefore recommend that an appropriation of $75,000 be asked for it. The superintendent in charge, in his report of 1860, estimated the cost of completion at $67,830 69.

It has cost something to take care of the building; there has been some deterioration, and prices have changed, and I therefore suggest an appropriation of not less than $75,000.

Respectfully submitted.

M. C. MEIGS, *Superintendent.*

Hon. SIMON CAMERON,
Secretary of War.

The following are the cash accounts of the different works.

CAPITOL EXTENSION.

Amount available October 1, 1860	$355, 499 21
Amount appropriated since February 19, 1861	2, 500 00
Amount appropriated since March 2, 1861	250, 000 00
	607, 999 21
Amount expended to September 30, 1861	251, 891 97
Amount available October 1, 1861	356, 107 24

REPORT OF OPERATIONS ON THE WASHINGTON AQUEDUCT.

Under orders of the Hon. Joseph Holt, Secretary of War, I resumed the charge of the Washington aqueduct on the 22d February, 1861.

In the month of June, 1860, Congress had appropriated "for the completion of the Washington aqueduct, $500,000, to be expended according to the plans and estimates of Captain Meigs, and under his superintendence." The bill was approved and signed by the President, though in returning it to Congress he accompanied it with a message with some remarks upon the conditions attached to this appropriation.

On the 17th of July, 1860, Mr. Secretary Floyd issued an order appointing Captain H. W. Benham chief engineer of the Washington aqueduct, and committed to him the effective superintendence of the work, and directed Captain Meigs to furnish the so-styled chief engineer with plans and estimates, and to pay for all materials and labor upon his written certificates, or upon the order of the Secretary of War.

Respectfully protesting against this order as in direct conflict with the conditions of the law of Congress, I nevertheless continued to endeavor, while thus hampered, to exercise such a supervision of the work as might be possible under the circumstances, hoping that I might, with the co-operation of the officer ordered by Mr. Secretary Floyd into this illegal and uncomfortable position, succeed in carrying out the objects of Congress, the completion of the aqueduct without extravagance or improper expenditure.

At length I received orders which required me to make payments inconsistent with the faithful fulfilment of the trust committed to me by the terms of the appropriation—a trust derived directly from an act of Congress, signed and approved by the President of the United States, and from the obligations of which the President alone could not absolve me.

I informed the President that I could not consent to violate the law; that the order of Secretary Floyd was not only illegal in itself, and therefore not binding upon me as an officer and a citizen, but that it required me myself to violate the law, to be the instrument of abusing a trust thus solemnly committed to me.

After some correspondence Mr. Secretary Floyd issued an order on the 1st September directing me to turn over to Captain Benham all the books, papers, money, plans, estimates, and accounts pertaining to the Washington aqueduct, and to proceed to a distant part of the country.

The books, plans, and estimates I placed in the hands of Captain Benham; the money, which was intrusted to me under the law of Congress, I returned to the treasury. I addressed notes to the Secretary of the Treasury, Mr. Howell Cobb, and to the Second Comptroller and Third Auditor, the officers charged with the custody of the money, and without whose concurrent action it could not be drawn out of the treasury, informing them that the whole of the money appropriated by Congress for the Washington aqueduct and not then expended was in the treasury in their custody; and that as I was ordered to a distant part of the country, where it would be impossible for me to exercise that superintendence which the law made a condition of the appropriation, no warrant, draft, or requisition upon it could be paid without direct violation of law.

The balance of the appropriation then available was $475,276 68.

On the 13th of February, 1861, being then at Fort Jefferson, Tortugas, I received orders to return immediately to Washington; on reaching which place I was, by order of Hon. Joseph Holt, Secretary of War, directed to resume the charge and superintendence of the Washington acqueduct, which I did on the 22d February.

found that Secretaries Cobb and Floyd had gone to join the southern rebellion which had broken out in the meantime, and that Captain Benham had been relieved by Secretary Floyd from his uncomfortable position of superintendent in violation of law of the Washington aqueduct, and another officer substituted.

I directed the suspension of all operations upon the work until I could ascertain of the works and expenditures.

I found that the sum available, when I resumed the superintendence, was $321,522 42. The sum of $153,754 26 had, therefore, been expended in my absence, in direct violation of law, and notwithstanding the formal protests addressed to the Secretary of the Treasury, Mr. Cobb, to the President, and to the accounting officers of the treasury.

Believing that all persons are bound by the law, and that contracts made in defiance of them are void, I declined paying for work done in my absence and not under my superintendence.

On the 6th of March letters were addressed to A. A. McGaffey, contractor for the distributing reservoir, notifying him to resume work; to Robert McIntyre, specifying the force necessary, and urging its employment for rapid progress on bridge No. 4, across Cabin John creek, so as to secure its completion during the present year; to Richard J. Dobbins, giving instructions in regard to the construction of masonry works at the Great Falls, and to Carman & Dobbins, directing the resumption and vigorous prosecution of the masonry work on bridge No. 6, across Rock creek. On the 15th March proposals were invited for the completion of masonry structures at the distributing reservoir, and on the 25th of that month the several works offered were awarded, respectively, to William Bradley for completing the screen-well, effluent pipe, vault, and stair-well, and to Nicholas Acker for completing conduit and head-well, the influent gate-house, and auxiliary gate-house.

Contracts were promptly made and executed, and preparations were commenced for the energetic prosecution of the work. Mr. P. Crowley, the contractor for waste weir No. 4, resumed the work of arching the drift way, and has progressed as far as has been required for the present.

Mr. McGaffey having, up to the 19th of March, failed to resume work on the distributing reservoir, on that day I directed the employment of a force of laborers and horses and carts to be set to work, to be under the direction of the United States. The force was rapidly increased until some four hundred men and one hundred and fifty horses and carts, with competent foremen, were employed. The work was energetically pressed until the reservoir was rendered capable of containing water sufficient to furnish a supply for any ordinary emergency.

The several works resumed progressed steadily towards completion until the pressing demands upon the treasury for money to defend the national existence made it necessary and proper to suspend operations.

During the month of April, being called upon to accompany a military expedition to a distant part of the country, I, with the consent of the department, appointed Captain (now Lieutenant Colonel) J. N. Macomb, of United States corps topographical engineers, my attorney to act in my place until I could give my attention again to the work. For the intelligence and success with which he administered the work I am under great obligations to him.

Among the works are the following, viz:

CUT-STONE DAM, CONDUIT HEAD, AND GATE-HOUSE, AT GREAT FALLS.

These works are in an advanced condition, and could be soon completed. The great dam in the Potomac remains as heretofore reported, nothing having been done on it during the past year.

TUNNEL NO. 1, (NEAR GREAT FALLS.)

This tunnel has been pierced through. A considerable quantity of trimming remains to be done, and some rock is yet to be removed.

TUNNEL NO. 3.

The masonry, lining, clearing, and grading has been completed. About one hundred feet in the bottom remains to be surfaced with small stone. Conduit masonry and embankment adjoining tunnel No. 3 has been completed. Other portions of unfinished conduit were suspended. They are of little extent, however.

CABIN JOHN BRIDGE, ("UNION ARCH.")

The following work has been done since the 22d February, 1861:

29,645 superficial feet rock-faced ashlar cut; 4,156 superficial feet coping and fine cutting; 18,245 cubic feet dimension stone furnished; 1,095 cubic yards rubble stone furnished; 1,722 cubic yards stone masonry laid; and 38,330 brick laid.

The centring has been removed, and the weight of the arch rests upon its own bearings. During the striking of the centre the closest instrumental observation failed to discover the slightest settlement in this the largest stone arch in the world, 220 feet in span.

WASTE WEIR NO. 4.

The arching of the drift way, supported by masonry side walls, has progressed as far as at present appears to be necessary.

DISTRIBUTING RESERVOIR, (EARTHWORK.)

This work, taken in hand with hired labor, as elsewhere in this report explained, has consumed, approximately, 961 days of managers and foremen; 14,986 days of laborers, &c.; 7,410 days of horses and carts; and 378 days of plough teams. Most of the force here collected was transferred to the engineer officers to erect intrenchments on the Virginia shore at the time of the advance of the national troops.

DISTRIBUTING RESERVOIR, (MASONRY STRUCTURES.)

These works were resumed after the awards and contracts of the 25th March, but the time necessarily occupied in making preparations for work, procuring and transporting materials, &c., left but little time for its active prosecution prior to the 11th of May, the date of suspension.

HIGH SERVICE RESERVOIR.

The dome has been partly built; the reservoir has been filled to medium quantity of water; the pumping engine, with which it is supplied, the pipe connexions and attachments, are all found to work satisfactorily. The clay puddling in the bottom of the reservoir not proving completely water-tight, it became necessary to withdraw the water in order to stop the slow leakage. A layer of clean river sand is now being put in over the clay.

The earth embankment and the hill-sides have been put in good shape, and well sodded for protection.

BRIDGE NO. 6, (ROCK CREEK.)

The iron and timber work of this bridge is finished. The stone-work, which has been allowed to be continued, is rapidly approaching completion, and is expected to be ready for use by the 1st of January. The completion of this work was authorized by the Hon. Secretary of War upon urgent solicitations of citizens of Georgetown and Washington; the bridge being of great importance to the government and people in economy of communication between the two cities, between which the government has military trains constantly running.

PUMPING ENGINE.

The engine works smoothly and perfectly, and no serious interruption in its operations has occurred during the year.

WATER MAINS.

The pipe line (completed) has been remarkably exempt from casualties during the year; but few leaks in the joints have occurred, and in no instance has the supply of water been suspended for a single day.

SENECA QUARRIES.

A part of these quarries was worked by the contractor for Cabin John bridge; other portions were worked by the United States to supply stone for other masonry structures on the aqueduct; all the quarried stone remaining in them now belongs to the United States, and is available for the future progress of the work on the aqueduct.

Work done by contract since the 22d February, 1861, including that done in August, 1860:

ON PIPE LINE.

2,494 tons pipe hauled; 1,241 cubic yards trench excavated; 188 joints of pipe laid.

MASONRY STRUCTURES.

42,117 superficial feet cutting, rock-faced ashlar; 8,887 superficial feet cutting, coping and fine cutting; 28,606 cubic feet dimension stone furnished; 1,425 cubic yards rubble stone furnished; 2,931 cubic yards masonry laid; 61,680 bricks laid; 896 lineal feet drafts cut in ashlar; 726 cubic yards conduit embankment; 424 cubic yards conduit embankment rammed; 175 lineal feet tunnel pierced; 778 cubic yards broken stone furnished; 273 cubic yards excavation in drift way; 239 cubic yards masonry in drift way.

LABOR OF MEN AND TEAMS BY THE DAY.

Statement of service and labor applied upon the various works from 22d February to 30th June, 1861, *and paid upon pay-rolls, viz:*

Engineer service—

Principal assistant engineer	58 days, at	$7 00 per day	$406 00
Assistant engineer	19 do	5 00 do	95 00
Assistant engineer	125 do	4 00 do	500 00
Assistant engineer	87 do	2 00 do	174 00
Clerks	36 do	4 50 do	162 00
Assistant clerk	191½ do	4 00 do	766 00
Assistant clerk, acting ass't eng'r	111 do	3 00 do	333 00
Assistant clerk	5 do	2 00 do	10 00
Watchmen	136 do	1 00 do	136 00
Messengers	19½ do	2 50 do	48 75
Assistant messenger	34¼ do	1 50 do	51 37

Assistant messenger	21¼ days, at	$1 25	per day.	$26 56
Assistant messenger	110 ... do	1 00	do	110 00
Inspector and superintendent pipe line.	133 ... do	3 00	do	399 00
Inspector of masonry	126½ ... do	3 00	do	379 50
General inspector and receiver	2 ... do	4 00	do	8 00
General inspector and receiver	110 ... do	3 00	do	330 00
Manager, paymaster	132 ... do	3 00	do	396 00
Inspector and foreman	78¼ ... do	2 50	do	195 62
Foreman	717½ ... do	2 00	do	1,435 00
Foreman	28 ... do	1 75	do	49 00
Foreman	84 ... do	1 25	do	105 00
Gate-keeper	129 ... do	75	do	96 75
Calkers	1 ... do	2 00	do	2 00
Calkers	1 ... do	1 75	do	1 75
Calkers	15 ... do	1 50	do	22 50
Plumbers	2 ... do	1 75	do	3 50
Plumbers	2 ... do	1 50	do	3 00
Carpenters	17½ ... do	2 50	do	43 75
Carpenters	56 ... do	2 00	do	112 00
Masons	2½ ... do	2 00	do	5 00
Blacksmiths	11½ ... do	1 75	do	20 12
Laborers	1 ... do	1 50	do	1 50
Laborers	204½ ... do	1 25	do	255 62
Laborers	53 ... do	1 12	do	59 62
Laborers	722½ ... do	1 00	do	722 50
Laborers	14,461⅓ ... do	90	do	13,015 20
Laborers	524¼ ... do	40	do	209 70
Horses and carts	3½ ... do	2 00	do	7 00
Horses and carts	79¼ ... do	1 75	do	138 68
Horses and carts	7,410 ... do	1 50	do	11,115 00
Plough teams	135¾ ... do	8 00	do	1,086 00
Plough teams	3 ... do	6 00	do	18 00
Plough teams	207¾ ... do	4 00	do	831 00
Plough teams	32¼ ... do	3 00	do	96 75
Wagon and team	1 ... do	3 00	do	3 00
Horses	22½ ... do	1 00	do	22 50
Draughtsman	95 ... do	3 00	do	285 00
Stone-cutters	75 ... do	2 50	do	187 50
Stone-cutters	76½ ... do	2 25	do	172 12
Stone-cutters	52¾ ... do	2 00	do	105 50
Total days	26,763⅛		Amount	34,758 36

The water has been extensively distributed through both cities, Washington and Georgetown; and the season having been a wet one, the supply drawn as yet from the Little Falls and Powder Mill branch has at no time failed.

Should a return of peace make it proper, a few months will suffice to complete the whole work and bring into the cities the purer water and inexhaustble supply from the Potomac at the Great Falls.

The sum remaining to the credit of the work is sufficient for taking care of it; and had the work been carried on under my own superintendence and without interruption, I believe I could have had the satisfaction of reporting it as entirely completed at this time.

As it is, it must wait until the restoration of peace enables the country to spare the money from other and more imperative claims.

Respectfully submitted.

M. C. MEIGS,
Superintendent and Chief Engineer of Washington Aqueduct.

Brigadier General J. G. TOTTEN,
Chief Engineer.

WASHINGTON AQUEDUCT.

Cash account.

Amount available at the time Captain M. C. Meigs was detached	$475, 276 68
Amount expended during his absence, from September 1, 1860, to February 22, 1861	153, 754 26
Available February 22, 1861	321, 522 42
Appropriated in 1861	....
Expended to September 30, 1861	81, 834 86
Available October 1, 1861	239, 687 56

No further appropriation is asked for.

Respectfully submitted.

M. C. MEIGS,
Superintendent and Chief Engineer.

REPORT OF THE ENGINEER BUREAU.

ENGINEER DEPARTMENT,
Washington, November 30, 1861.

SIR: I have the honor to present the following report upon the several branches of the public service committed to the charge of this department for the year ending the 30th June, 1861:

MILITARY DEFENCES AND DISTRIBUTION OF OFFICERS.

The grants by Congress for fortifications on our whole sea-coast and northern frontier for the last fiscal year, amounting to $1,395,000, have been in large measure expended, and so applied by the care and diligence of the officers in charge as to produce much satisfactory progress, and in several instances afford a readiness to receive the whole or the larger part of the armament of the works, with some accommodations for garrisons and for ammunition.

Under the existing circumstances of the country the most rapid further progress practicable will probably be desired. In this case, besides the estimates which have been furnished from this office for the service of the fiscal year ending June 30, 1863, it will be indispensable in a number of cases that additional grants be made for the year ending June 30, 1862, and in season to be available at a very early day. I shall shortly present an estimate for this purpose.

At the same time the wants of the country having made it necessary to withdraw the greater portion of the officers of engineers from the work of construction, and attach them to the several large armies in the field, it will be necessary to supply their places in measure by the best assistance that can be had from civil life; that is, by thus using the services of ex-officers of engineers, and by recalling other valuable assistants who have heretofore aided our labors.

The knowledge indispensable for our purposes restricts the selection of assistants rigidly within these limits.

For the rest it will be necessary to tax more largely the endeavors of those officers who are still engaged on works of construction.

At the commencement of the outbreak in which the country is now involved, in April last the available officers of engineers were called to Washington as rapidly as possible, and redistributed in such way as the first emergencies exacted. The progress of events has required the services of a large portion of these upon the field works about this city, and the others have been assigned to the headquarters of other forces in the field.

At the present time the officers thus detached from the engineer department are distributed as follows:

Major J. G. Barnard, brigadier general of volunteers, and chief engineer of army of Potomac.

Major George W. Cullum, brigadier general of volunteers, chief engineer, department of the Missouri.

Major Henry W. Benham, brigadier general of volunteers, commanding a brigade in department of Western Virginia.

Major D. P. Woodbury, lieutenant colonel, aide-de-camp, on duty with the army of the Potomac,

Major Z. B. Tower, chief engineer, Fort Pickens.

Major H. G. Wright, brigadier general of volunteers, commanding a brigade in the expeditionary corps of Brigadier General T. W. Sherman.

Major John Newton, brigadier general of volunteers, commanding a brigade in the army of the Potomac.

Captain B. S. Alexander, lieutenant colonel, aide-de-camp, on duty with the army of the Potomac.

Captain C. S. Stewart, chief engineer, Fortress Monroe.

Captain John G. Foster, brigadier general of volunteers, commanding a brigade in the corps of Brigadier General Burnside.

Captain J. C. Duane, on duty with the army of the Potomac, in immediate command of all engineer troops with that army.

Captain Q. A. Gillmore, chief engineer of expeditionary corps of Brigadier General T. W. Sherman.

Captain F. E. Prime, chief engineer of department of the Ohio.

Captain J. B. McPherson, lieutenant colonel, aide-de-camp, on duty in department of the Missouri.

First Lieutenant C. B. Comstock, on duty with the army of the Potomac.

First Lieutenant G. Weitzel, under orders for duty with the army of the Potomac.

First Lieutenant D. C. Houston, on duty with the army of the Potomac.

First Lieutenant M. D. McAlester, on duty with the army of the Potomac.

First Lieutenant J. C. Palfrey, under orders to repair to Washington.

First Lieutenant W. C. Paine, on duty with the army of the Potomac.

First Lieutenant W. E. Merrill, on duty in department of Western Virginia, (prisoner.)

First Lieutenant C. B. Reese, on duty with the army of the Potomac.

First Lieutenant W. McFarland, on duty at Fort Pickens.

First Lieutenant J. A. Tardy, on duty with General Sherman's expeditionary corps, commanding engineer detachment.

First Lieutenant C. E. Cross, on duty in the army of the Potomac.

First Lieutenant O. E. Babcock, on duty with the army of the Potomac.

Second Lieutenant P. H. O'Rorke, on duty with General Sherman's expeditionary corps.

Second Lieutenant F. U. Farquhar, on duty at Fortress Monroe.

Second Lieutenant A. H. Dutton, on duty with the army of the Potomac.

I now subjoin statements mostly derived from the reports of the officers in charge of the condition of the several forts under construction and the progress of work during the year.

Very respectfully,

JOS. G. TOTTEN,
Brevet Brigadier General and Colonel Engineers.

Hon. SIMON CAMERON,
Secretary of War.

Engineer journal of the bombardment of Fort Sumter, Charleston harbor, South Carolina, by Captain J. G. Foster, corps of engineers, U. S. A.

APRIL 9, 1861.—The four-gun battery on the upper end of "Sullivan's island," that was unmasked yesterday morning by blowing up the wooden house standing in front of it, was situated very nearly upon the prolongation of the capital of this fort, and therefore could enfilade the terrepleins of both flanks of the work, as well as sweep, to a certain extent, the outside of the scarp wall of the left flank, where alone a vessel of any considerable draught of water could lie near to the fort and discharge her cargo.

It therefore became a matter of importance to provide traverses to intercept the fire along the barbette tier of the right flank, as this contains the heaviest battery, intended to operate both upon Fort Moultrie and Cummings's Point; and also to prepare means for quickly unloading any vessel that may run in alongside the left flank with supplies for the garrison.

For the first purpose, I commenced to prepare (for want of sand bags) a large double curb of boards and scantling to be elevated upon the top of the parapet, at the right shoulder angle, and, being filled with earth hoisted from the parade, to serve as a traverse to protect this flank.

For the second, I prepared ladders and runaways to take in reinforcements and provisions at the embrasures rapidly, one embrasure being enlarged so as to admit barrels, and also cleared the passage around to the main gate. A large stone traverse was also commenced to cover the main gates from the fire from Cummings's Point. The masons were put at work cutting openings through the walls of the officer's quarters so as to admit of a free communication through them, on the first and second floors, from one flank to the other. The battery in the right shoulder angle, first tier, was also being improved by substituting a 42-pounder for a 32-pounder, cutting into the magazine wall so as to allow the gun on the gorge to be used against the batteries, and cutting away one side of the embrasure so as to allow the first gun on the right flank to be used in the same way. The quantity of bread became very small, and only half rations of it were allowed to the men. The enemy's steamers were very active carrying supplies to their batteries.

APRIL 10.—Every one, by order of the commanding officer, Major Anderson, changed his quarters into the gun casemates to-day. The work on the traverse progressed well. Lieutenant R. K. Meade, engineers, being placed on ordnance duty, found the supply of cartridges on hand to be too small, and took immediate measures to increase the supply by cutting up all the surplus blankets and extra company clothing to make cartridge bags. The curb for the traverse at the right shoulder angle was completed and put together on the terreplein at nightfall, and, after dark, raised upon the parapet and filled with earth which had been hoisted from the parade. The working party, under Lieutenant Snyder, increased by a large detail from the command, completed this work about midnight.

The supply of bread failed to-day, and its absence was supplied by rice obtained by picking over some damaged rice, which, while spread out to-day in one of the quarters, had been filled with pieces of glass from the window panes, shattered by the concussion of guns fired in practice.

A second battery was unmasked to-day on "Sullivan's island," nearer the western point of the island than the one last discovered. It is of one gun, and very heavy, evidently a 9-inch Dahlgren gun, or a 10-inch columbiad.

The enemy's steamers were very active at night, but no alarm occurred.

APRIL 11.—At early dawn I detected the presence of the "Floating Battery' on the upper end of Sullivan's island. It is situated between the end of the jettee and the steamboat wharf, where, evidently distrusting her qualities as a floating battery intended to breach the gorge wall at short range, has been run on shore at high water, and, being left by the receding tide, has become a fixed battery. Her position gives her the advantage of sweeping with her guns the whole of the left flank of the fort, and thus rendering it impossible for any vessel with supplies to lie anywhere along this flank, while the breakwater in front protects her from our ricochet shot.

The stone traverse at the gorge has been raised to-day high enough to protect the main gate, and the traverse on the top of the parapet has been strengthened by the addition of sand bags on the top and sides, and braced in the rear by extra gun-carriages, The communications cut through the walls of the quarters are finished, and all the water pipes and faucets prepared for use in case of fire. The third splinter-proof shelter, on the right flank, barbette tier, is finished. These shelters are formed of the timbers of extra gun-carriages, inclined against the interior slope, and covered with 2-inch embrasure irons securely spiked down. Shot and shells have been distributed to the guns, and about 700 cartridges reported ready. The work of making cartridge bags is slow, owing to there being only six needles in the fort.

The enemy's steamers are very active, carrying supplies and hospital stores to the batteries on Cummings's Point.

At 4 p. m. three aides of General Beauregard (Colonel Chesnut, Colonel Chisholm, and Captain Lee) came as bearers of a demand for the surrender of the fort. The unanimous decision of the officers in council was in the negative, and a written answer in accordance was returned by Major Anderson.

APRIL 12.—At 1 a. m. four aids of General Beaureguard (Colonel Chesnut, Colonel Chisholm, Captain Lee, and Mr. Pryor, of Virginia) came with a second letter, stating that, as Major Anderson had been understood to make the remark to the bearers of the first letter, in taking leave, that he would "await the first shot, and, if not battered to pieces, would be starved out in a few days," it was desired to know what importance might be attached to it. The reply of Major Anderson did not satisfy the aides, who were authorized, in that case, to give notice that the fire would open. Accordingly, on leaving at 3½ a. m., they gave notice that their batteries would open in one hour.

At 4½ a. m. a signal shell was thrown from the mortar battery on James's island, after which the fire soon became general from all the hostile batteries. These batteries were, as nearly as could be ascertained, armed as follows, viz:

On Morris's island.—Breaching battery No. 1, 2 42-pounders; 1 12-pounder, Blakely rifled gun.
Mortar battery, (next to No. 1,) 4 10-inch mortars.
Breaching battery No. 2, (iron-clad battery,) 3 8-inch columbiads.
Mortar battery, (next to No. 2,) 3 10-inch mortars.

On James's island.—Battery at Fort Johnson, 3 24-pounders, (only one of them bearing on Fort Sumter.)
Mortar battery, south of Fort Johnson, 4 10-inch mortars.

On Sullivan's island.—Iron-clad (floating) battery, 4 42-pounders.
Columbiad battery No. 1, 1 9-inch Dahlgren gun.
Columbiad battery No. 2, 4 8-inch columbiads.
Mortar battery, west of Fort Moultrie, 3 10-inch mortars.
Mortar battery, on parade, in rear of Fort Moultrie, 2 10-inch mortars.

Fort Moultrie.—3 8-inch columbiads; 2 8-inch S. C. howitzers; 5 32-pounders; 4 24-pounders.

At Mount Pleasant.—1 10-inch mortar.

Total, firing on Fort Sumter, 30 guns, 17 mortars.

At 7 a. m. the guns of Fort Sumter replied, the first shot being fired from the battery at the right gorge angle, in charge of Captain Doubleday. All the officers and soldiers of Major Anderson's command were divided into three reliefs, of two hours each, for the service of the guns, Lieutenants Snyder and Meade, of the engineers, taking their turn with the other officers in the charge of batteries.

Of the 43 workmen constituting the engineer force in the fort, nearly all volunteered to serve as cannoniers, or to carry shot and cartridges to the guns.

The armament of the fort was as follows:

Barbette tier.—Right flank.—1 10-inch columbiad; 4 8-inch columbiads; 4 42-pounders.
Right face.—None.
Left face.—3 8-inch sea-coast howitzers; 1 32-pounder.
Left flank.—1 10-inch columbiad; 2 8-inch columbiads; 2 42-pounders.
Gorge.—1 8-inch sea-coast howitzer; 2 32-pounders; 6 24-pounders.
Total in barbette, 27 guns.

Casemate tier.—Right flank.—1 42-pounder; 4 32-pounders.
Right face.—3 42-pounders.
Left face.—10 32-pounders.
Left flank.—5 32-pounders.
Gorge.—2 32-pounders.
Total in casemate, 21 guns.
Total available in both tiers, 48 guns.

Besides the above, there were arranged on the parade, to serve as mortars, 1 10-inch columbiad to throw shells into Charleston, and 4 8-inch columbiads to throw shells into the batteries on Cummings's Point. The casemate guns were the only ones used. Of these, those that bore on Cummings's Point were the 42-pounder, in the pau-coupé of the right gorge angle; the 32-pounder next to it on the gorge, which, by cutting into the brick wall, had been made to traverse sufficiently; and the 32-pounder next the angle on the right flank, which, by cutting away the side of the embrasure, had been made to bear on a portion of the point, although not on the breaching batteries.

The guns of the first tier, that bore on Fort Johnson, were 4 32-pounders, on the left flank; (of these one embrasure had been, by order, bricked up.)

The guns that bore on the three batteries on the west end of "Sullivan's Island" were 10 32-pounders, situated on the left face, and one at the pau-coupé of the salient angle, (four embrasures being bricked up.)

The guns bearing on Fort Moultrie were 2 42-pounders, situated on the right face, and one at the pau-coupé of the right shoulder angle.

The supply of cartridges, seven hundred in number, with which the engagement commenced became so much reduced by the middle of the day, although the six needles in the fort were kept steadily employed, that the firing was forced to slacken, and to be confined to six guns, two firing towards Morris's island, two towards Fort Moultrie, and two towards the batteries on the west end of Sullivan's island.

At 1 o'clock two United States men-of-war were seen off the bar, and soon after a third appeared.

The fire of our batteries continued steadily until dark. The effect of the fire was not very good, owing to the insufficient calibre of the guns for the long range, and not much damage appeared to be done to any of the batteries except those of Fort Moultrie, where our two 42-pounders appeared to have silenced one gun for a time, to have injured the embrasures considerably, riddled the barracks and quarters, and torn three holes through their flag. The so-called "floating battery" was struck very frequently by our shot, one of them penetrating at the angle between the front and roof, entirely through the iron covering and woodwork beneath, and wounding one man. The rest of the 32-pounder balls failed to penetrate the front or the roof, but were deflected from their surfaces, which were arranged at a suitable angle for this purpose. We could not strike below the water-line, on account of the sea-wall behind which the battery had been grounded, and which was just high enough to allow their guns to fire over it and to intercept all of our ricochet shots.

The columbiad battery and Dahlgren battery, near the floating battery, did not appear to be much injured by the few shots that were fired at them. Only one or two shots were fired at Fort Johnson, and none at Castle Pinckney or the city.

Our fire towards Morris's island was mainly directed at the iron-clad battery, but the small calibre of our shot failed to penetrate the covering when struck fairly. The aim was therefore taken at the embrasures, which were struck at least twice, disabling the guns for a time. One or two shots were thrown at the reverse of batteries "3" and "4," scattering some groups of officers and men on the lookout, and cutting down a small flagstaff on one of the batteries.

At one time during the day a revenue schooner which had been seized by the insurgents was observed lying at anchor between Sullivan's island and Mount Pleasant. Lieutenant Snyder, corps of engineers, who had charge at this time of the battery firing in this direction, directed two or three shots at her with such effect as to put one of them through the vessel, and cause her to haul down her colors, the flag of the so-called Confederate States, to hoist her anchor and sails, and get out of range as soon as possible.

One or two shots were thrown at the hulks which had been anchored in the channel on a line between Cummings's Point and Fort Moultrie, to be fired at night if our fleet should attempt to come in. As no person appeared on board, the fire was not continued in this direction.

The barracks caught fire three times during the day, from shells apparently, but each time the flames, being in the first or second stories, were extinguished by a pump and application of the means at hand.

Peter Hart, who was formerly a sergeant in Major Anderson's company, and employed by me at the time as a carpenter, was very active and efficient in extinguishing the flames.

The effect of the enemy's fire upon Fort Sumter during the day was very marked in respect to the vertical fire. This was so well directed and so well sustained, that from the seventeen mortars engaged in firing 10-inch shells, one-half of the shells came within or exploded above the parapet of the fort, and only about ten buried themselves in the soft earth of the parade, without exploding. In consequence of this precision of vertical fire, Major Anderson decided not to man the upper tier of guns, as by doing so the loss of men, notwithstanding the traverses and bomb-proof shelters that I had constructed, must have been great. These guns were therefore fired only once or twice by some men who ventured upon the parapet for this purpose. In doing this they managed without much care, producing little or no effect upon the enemy, besides doing injury to the guns. At the third fire of the 10-inch columbiad at the right gorge angle it was omitted to throw the friction wheels out of bearing, and consequently, in the recoil, the gun ran entirely off its chassiz, overturning itself, and in its fall dismounting the 8-inch sea-coast howitzer next to it.

The direction of the enemy's shells being from the northeast, north, southwest, and southeast, sought every part of the work, and the fuses being well graduated, exploded, in most instances, just within the line of parapet.

To this kind of fire no return was made. The four eight-inch columbiads that I had planted in the parade to be used as mortars on Cummings's Point were not used; neither was the ten-inch columbiad arranged to fire shot and shells towards the city.

The hot shot furnaces were not used nor opened.

The effect of the direct fire from the enemy's guns was not so marked as the vertical. For several hours firing from the commencement, a large proportion of their shot missed the fort. Subsequently it improved, and did considerable damage to the roof and upper story of the barracks and quarters, and to the tops of the chimneys on the gorge. The aim of the guns during the day, with the exception of batteries Nos. 1 and 2 on Cummings's Point, appeared to be directed to dismount the guns of our barbette tier. Those from Fort Moultrie succeeded in dismounting an eight-inch columbiad, and in striking on its side and cracking a second eight-inch columbiad, both situated on the right flank.

The roof of the barracks on this flank and the stair-towers were much damaged by this fire.

The shots from the guns in the batteries on the west end of "Sullivan's Island" did not produce any considerable direct effect, but many of them took the gorge in reverse in their fall, completely riddling the officers' quarters even down to the first story, so great was the angle of fall of many of the balls.

Three of the iron cisterns over the hall ways were destroyed by shots during the day, and the quarters below deluged by their contents of water, aiding in preventing the extension of the fires.

The shots from these batteries and from Fort Moultrie, aimed at the embrasures, failed to produce any effect; none of the shot came through, although one shell exploded in the mouth of one embrasure.

A part of the guns from Cummings's Point essayed to dismount the barbette tier on the gorge, and the remainder to breach the gorge, or rather, the pau-coupé at the right gorge angle. At this latter point two columbiads and a Blakely rifled gun fired almost constantly. The effect of this fire on this day was to breach around the embrasure of the first tier at the pau-coupé to a depth of 20 inches, and to put one shot through the filling, consisting of brick and blue stone combined, with which the embrasure opening of the second tier had been filled.

One shot was also put through the top of a loop-hole window on the second tier, another through the top of the main gate, and a third through the magazine ventilator at the right of the gorge, falling between the pier and the inner wooden ceiling.

Three of the embrasure check-irons that I had placed in the second tier loop-holes were knocked out of place; several of the stones that had been placed in the first tier loop-holes were struck, but, owing to the lead run in around them to hold them in place, none were broken. The penetration of the eight-inch columbiad balls from Cumming's Point was eleven inches at the first shot; and that of the 12-pounder bolt from the Blakely gun was the same, as ascertained by measurement. The latter, however, threw its shot with greater accuracy and with less time of flight than the former. The distance was about 1,250 yards.

The shot from Cummings's Point that passed a little over the gorge took the left face in reverse, damaging the masonry of the parade wall, coping, &c., and splintering the chains of one gun in barbette. As an instance of strength of masonry, I may mention that one ten-inch shell from Cumming's Point fell upon the second tier casemate arch, which was not covered by concrete or flagging, and so good was the masonry of this 15-inch arch that the shell did not go through, although it bedded itself, and broke off from the soffit below a large fragment of brick work.

The night was very stormy, with high wind and tide. I found out, however, by personal inspection, that the exterior of the work was not damaged to any considerable extent, and that all the facilities for taking in supplies, in case they arrived, were as complete as circumstances would admit.

The enemy threw shells every ten or fifteen minutes during the night.

The making of cartridge bags was continued by the men under Lieutenant Meade's directions until twelve o'clock, when they were ordered to stop by Major Anderson.

To obtain materials for the bags all the extra clothing of the companies was cut up, and all coarse paper and extra hospital sheets used.

April 13.—At daybreak no material alteration was observed in the enemy's batteries. The three United States men-of-war were still off the bar. The last of the rice was cooked this morning and served with the pork, the only other article of food left in the engineer mess room, where the whole command has messed since the opening of the fire. After this the fire was reopened, and continued very briskly as long as the increased supply of cartridges lasted. The enemy reopened fire at daylight, and continued it with rapidity. The aim of the enemy's gunners was better than yesterday. One shot from the rifled gun in the battery on Cummings's Point struck the cheek of an embrasure in the right gorge angle, and sent a large number of fragments inside, wounding a sergeant and three men. The spent ball also came in with the fragments. An engineer employé, Mr. John Swearer, from Baltimore, Maryland, was severely wounded by pieces of a shell which burst inside the fort close to the casemates. One or two balls also penetrated the filling of the embrasure openings of the second tier, but fell entirely spent inside, one of them setting a man's bed on fire.

It soon became evident that they were firing hot shot from a large number of their guns, especially from those in Fort Moultrie; and at nine o'clock I saw volumes of smoke issuing from the roof of the officers' quarters, where a shot had just penetrated. From the exposed position it was utterly impossible to extinguish the flames, and I therefore immediately notified the commanding officer of the fact, and obtained his permission to remove as much powder from the magazine as was possible before the flames, which were only one set of quarters distant, should encircle the magazine and make it necessary to close it. All the men and officers not engaged at the guns worked rapidly and zealously at this; but so rapid was the spread of the flames that only fifty barrels of powder could be taken out and distributed around in the casemates before the fire and heat made it necessary to close the magazine doors and pack earth against them. The men then withdrew to the casemates on the faces of the fort. As soon as the flames and smoke burst from the roof of the quarters the enemy's batteries redoubled the rapidity of their fire, firing red-hot shot from most of their guns. The whole range of officers' quarters were soon in flames. The wind, being from the southward, communicated fire to the roof of the barracks, and this, being aided by the hot shot constantly lodging there, spread to the entire roofs of both barracks, so that by twelve o'clock all the wood work of quarters and of upper story of barracks was in flames. Although the floors of the barracks were fire-proof, the utmost exertions of the officers and men were often required to prevent the fire communicating down the stairways, and from the exterior to the doors, window frames, and other wood-work of the east barrack, in which the officers and men had taken their quarters. All the wood work in the west barrack was burned. The clouds of smoke and cinders which were sent into the casemates by the wind set on fire many boxes, beds, and other articles belonging to the men, and made it dangerous to retain the powder which had been saved from the magazine. The commanding officer accordingly gave orders to have all but five barrels thrown out of the embrasures into the water, which was done.

The small stock of cartridges now only allowed a gun to be fired at intervals of ten minutes.

The flag staff was struck by shot seven times during the day, and a fragment of shell cut the lanyard of the flag. The part thus cut was so connected that the flag must have come down by the run had not the flag been, as it was, twisted around both parts of the lanyard. During the night I endeavored to remedy this by lowering the topmast, so as to reeve a new halyard, but failed, in consequence of the sticking of the mast, which was swollen by the rain. The most that could be done was to reeve the uncut part of the lanyard through a block attached to the topmast as high up as a man could climb, so that if the flag untwisted and came down it could be immediately rehoisted as high as this block.

As the fire reached the magazines of grenades that were arranged in the stair-towers and implement rooms on the gorge they exploded, completely destroying the stair towers at the west gorge angle and nearly destroying the other.

At one o'clock the flag-staff, having been struck twice before this morning, fell. The flag was immediately secured by Lieutenant Hall, and, as soon as it could be attached to a temporary staff, hoisted again upon the parapet at the middle of the right face by Lieutenant Snyder, corps of engineers, assisted by Hart, and Davey, a laborer.

About this time information was brought to the commanding officer that Mr. Wigfall, bearing a white flag, was on the outside and wished to see him. He accordingly went out to meet Mr. Wigfall, passing through the blazing gateway, accompanied by Lieutenant Snyder. In the mean time, however, Mr. Wigfall had passed to an embrasure on the left flank, where, upon showing the white flag upon his sword, he was permitted to enter; and Lieutenant Snyder, entering immediately after, accompanied him down the batteries to where some other officers were posted, to whom Mr. Wigfall commenced to address himself to the effect that he came from General Beauregard to desire that, inasmuch as the flag of the fort was shot down, a fire raging in the quarters, and the garrison in a great strait, hostilities be suspended and the white flag raised for this object. He was replied to that our flag was again hoisted on the parapet; that the white flag would not be hoisted, except by order of the commanding officer; and that his own batteries should set the example of suspending fire. He then referred to the fact of the batteries on Cummings's Point, from which he came, having stopped firing, and asked that his own white flag might be waved to indicate to the batteries on Sullivan's Island to cease also. This was refused; but he was permitted to wave the white flag himself, getting into an embrasure for this purpose. Having done this for a few moments, Lieutenant Davis, first artillery, permitted a corporal to relieve him. Very soon, however, a shot striking very near to the embrasure, the corporal jumped inside and declared to Mr. Wigfall that "he would not hold his flag, for it was not respected."

At this moment the commanding officer, having re-entered through an embrasure, came up. To him Mr. Wigfall addressed nearly the same remarks that he had used on entering, adding some complimentary things about the manner in which the defence had been made, and ending by renewing the request to suspend hostilities in order to arrange terms of evacuation. The commanding officer desiring to know what terms he came to offer, Mr. Wigfall replied, "Any terms that you may desire; your own terms—the precise nature of which Genera Beauregard will arrange with you."

The commanding officer then accepted the conditions, saying that the terms he accepted were those proposed by General Beauregard on the 11th; namely, to evacuate the fort with his command, taking arms and all private and company property, saluting the United States flag as it was lowered, and being conveyed, if he desired it, to any northern port.

With this understanding Mr. Wigfall left, and the white flag was raised and the United States flag lowered by order of the commanding officer.

Very soon after, a boat arrived from the city, containing three aides of General Beauregard, with a message to the effect that, observing the white flag hoisted, General Beauregard sent to inquire what aid he could lend in extinguishing the flames, &c. Being made acquainted with the condition of affairs and Mr. Wigfall's visit, they stated that the latter, although an aide of General Beauregard, had not seen him for two days.

The commanding officer then stated that the United States flag would be raised again; but yielded to the request of the aides for time to report to their chief and obtain his instructions.

They soon returned with the approval of all the conditions desired, except the saluting the flag as it was lowered; and this exception was subsequently removed after correspondence.

In the morning communication was had with the fleet, and Captain Gillis paid a visit to the fort.

The evacuation was completed after saluting the flag; in doing which, one man was instantly killed, one mortally and four severely wounded by the premature discharge of a gun and explosion of a pile of cartridges.

The whole command went on board a steamer which placed them on board the "Isabel," where they remained all night.

APRIL 14.—The "Isabel" went over the bar, and placed the whole command on board the steamer "Baltic," which started for New York.

APRIL 17.—Arrived in New York.

The following observations may be made upon the bombardment:

The enemy's fire on the second day (the 13th) was more rapid and more accurate than on the previous day. It seemed to be directed at the embrasures, and to set the quarters on fire. The latter object was fully attained, but not the former, for only two embrasures were struck; one at the right gorge angle by the rifled shot mentioned above, and the other at the left shoulder angle by a shot from the so-called "Floating Battery," which struck the shutter, but without destroying it, or entering the throat of the embrasure.

The attempt to form a breach at the right gorge angle only succeeded in breaching around one embrasure to the depth of twenty-two inches, and in knocking off a large piece of one cheek, but without disabling the gun or rendering the embrasure inefficient.

The barbette tier was not much injured by the second day's firing; none of the guns being dismounted by it, and few of them struck.

The fire, however, destroyed all the gun-carriages and splinter-proof shelters on the gorge.

After the cessation of fire, about 600 shot marks on the face of the scarp wall were counted, but they were so scattered that no breached effect could have been expected from such fire, and probably none was attempted except at the right gorge angle. The only effect of the direct fire during the two days was to disable three barbette guns, knock off large portions of the chimneys and brick walls projecting above the parapet, and to set the quarters on fire with hot shot.

The vertical fire produced more effect, as it prevented the working of the upper tier of guns, which were the only really effective guns in the fort, being columbiads, 8-inch sea-coast howitzers, and 42-pounders principally, and also prevented the use of the columbiads arranged in the parade to be used as mortars against Cummings's Point. The shells that struck the stair towers nearly destroyed them, and filled the stairways with so much rubbish as to render them almost impassable. This, with the destruction of the stairs at the gorge by the explosion of the magazine of shells by the fire, made it almost impossible to get to the terreplein.

The burning of the quarters and barracks produced a great effect on the defence while the fire lasted, inasmuch as the heat and smoke was almost stifling, and as the fire burned all around the magazines, obliging them to be closed, and thus preventing our getting powder to continue the firing. It also destroyed the main gates and the gun-carriages on the parapet of the gorge. But we could have resumed the firing as soon as the walls cooled sufficient to open the magazines; and then having blown down the wall left projecting above the parapet, so as to get rid of flying bricks, and built up the main gates with stones and rubbish, the fort would actually have been in a more defensible condition than when the action commenced. In fact, it would have been better if the chimneys, roofs, and upper walls of the quarters and barracks had been removed before the firing begun, but the short notice and the small force did not permit anything of this kind after the notice of the attack was received.

The weakness of the defence principally lay in the lack of cartridge bags, and of the materials to make them, by which the fire of our batteries was all the time rendered slow, and towards the last was nearly suspended.

The lack of a sufficient number of men to man the barbette tier of guns, at the risk of losing several by the heavy vertical fire of the enemy, also prevented us making use of the only guns that had the power to smash his iron-clad batteries, or of throwing shells into his open batteries so as to destroy his cannoniers.

The want of provisions would soon have caused the surrender of the fort, but with plenty of cartridges the men would have cheerfully fought five or six days, and, if necessary, much longer, on pork alone, of which we had a sufficient supply. I do not think that a breach could have been effected in the gorge at the distance of the battery on Cummings's Point within a week or ten days; and even then, with the small garrison to defend it, and means for obstructing it at our disposal, the operation of assaulting it, with even vastly superior numbers, would have been very doubtful in its results.

Respectfully submitted.

J. G. FOSTER,
Captain of Engineers.

NEW YORK, *October* 1, 1861.

MILITARY ACADEMY.

In the present juncture of the affairs of the nation it becomes a matter of much importance to ascertain how far the existing capacity of the academy will permit the number of cadets to be increased, and what means, if any, may properly be taken to abridge the length of time devoted to the requisite education of the cadets for their duties as commissioned officers of the army. It is ascertained that the existing accommodations, in the way of barracks, mess establishments, &c., will admit of the number of cadets being increased to four hundred, without so much crowding as to become materially detrimental. Such an increase of numbers, however, will exact some corresponding addition to the numbers of the assistants of the professors and military supervisors of the academy.

If a larger number of cadets than four hundred should be deemed desirable, it will be indispensable first to add to the buildings for their accommodation.

This will require the interval of at least one working season, probably of two.

The additional number requisite to carry the establishment up to four hundred can be appointed the coming spring, to enter the academy in June, 1862.

With respect to shortening the period of studies, I think this should be approached with very great caution. Perhaps it would be practicable to select from a large number of new appointments some who might be found, by the ordeal of a searching examination by the academical staff, proficient upon the studies of the entering year of the academy. Such proficients might properly be entered to go on with the second year's studies, and their time at the academy be thus abridged to three years. This is the shortest period of preparation that is admissible, even with the condition of the searching examination just mentioned.

The studies of the two or three last years become more and more technical. The knowledge then to be acquired cannot be dispensed with for the educated officer. Rather than have the academy furnish the army with half-formed officers, and so lend itself to producing a mistaken confidence of the nation in its élèves, a confidence that can lead only to disaster for the country, and disgrace for the establishment.

There might be one or more distinct establishments, at which a shorter course, (perhaps of two years,) much more simple as to academical instruction, but very full and complete as to drills and manœuvres, should prepare all candidates for commissions in the infantry and cavalry, leaving the West Point school to supply the general staff, and all the special corps, including the artillery, for which branches it is probable the number of four hundred cadets will be ample.

REPORT OF THE TOPOGRAPHICAL BUREAU.

Bureau of Topographical Engineers,
Washington, November 14, 1861.

Sir: Charged by Special Orders No. 95 of the department, dated the 5th of April, with the direction of the Bureau of Topographical Engineers, I have the honor to submit the following report of the operations of the corps for the past year:

SURVEY OF THE NORTHERN AND NORTHWESTERN LAKES.

Captain George G. Meade, topographical engineers, (brigadier general of volunteers,) continued as superintendent of the survey until August 31, when he was relieved by Lieutenant Colonel J. D. Graham, of the corps, in compliance with paragraph 5, Special Orders No. 216, War Department, Adjutant General's office, dated August 12, 1861. The annual reports are made by Captain Meade to include that month; and for the remaining portion of the year, being for September, by Lieutenant Colonel Graham, and are respectfully annexed hereto as appendices I and II.

The parties in the field at the date of the last annual report returned early in November, and were employed, until taking the field again the present season, in projecting the notes and making computations and reductions. Projections were made of eighteen sheets, scale of $\frac{1}{16000}$, of 6,213 square inches, or 396 square miles of topography and hydrography, and one sheet, scale of $\frac{1}{1200000}$, of 352 inches, or 1,408 square miles of hydrography. Charts of Lake Huron, and the south end of the same lake, were completed, and put in the hands of the engraver, and progress made in the charts of the northeast end of Lake Michigan, and of Grand island and its approaches, with the same object. Reductions and tabulations of meteorological observations were prepared, accompanied by a series of comparisons of the barometers of the stations with the survey standard; the survey standard with the Newman barometer of the Cambridge University; and of the latter with the Royal Society's standard, by a paper upon "the mean weight of the atmosphere," and "the relation of the barometer with the elastic force of vapor, rains, &c.," and by the reduction and tabulation of observations of water levels, with profiles, &c., &c. Geodetic and astronomical computations were also made.

The first field operations of the present season were determinations of longitude by telegraphic connexions between Detroit and Grand Haven, Michigan; between Grand Haven and Ann Arbor, Michigan; between the last-named place and (Hamilton College) Clinton, New York; and by these means a second connexion between Detroit and Cambridge, Massachusetts. The usual annual survey of the channel of the south pass of the delta of St. Clair river was also made, besides surveys for light-house purposes at Two Islands river and Grand Portage, mouth of Pigeon river, Lake Superior, Minnesota, and Bertraw bay and mouth of Ministee river, Lake Michigan, Michigan. Later in the season five parties were organized and placed in the field, namely: one hydrographical and trigonometrical party, one reconnoitring and trigonometrical party, and three topographical and hydrographical parties. The operations of the season were thus limited by the withdrawal of the four officers of the corps attached to the survey for service with the army in the field. The parties returned to Detroit by the 15th of October. The field and character of their labors, including the measurement twice of a base of 19,715 feet on Minnesota Point, and a minor base of 2,554 feet on St. Louis river, with an abstract of the work done by each, is given in the report and sub-reports. The self-registering water-gauges at Thunder bay, Lake Huron, failed to give any results. Gauges will be erected at other points on the lake; also on Lakes Erie and Ontario, where it is believed a lunar action will be found. Materials are obtained for a chart of Fond du Lac bay, Lake Superior, including the river St. Louis, to the village of Fond du Lac, 46 miles, which will be prepared for the engraver.

The number of charts distributed during the year ending September 30 is 3,254, and from the beginning, 14,919.

The estimate to continue the survey is $104,396 42, differing little in amount from the last estimate, when reduced by the cost of an additional steamer then recommended for the survey.

LAKE HARBOR WORKS.

The works on the northern and northwestern lakes, reported on by the engineer in charge, are as follows:

On Lake Michigan	14
On Lake St. Clair	1
On Lake Erie	12
On Lake Ontario	6
On Lake Champlain	1

For want of appropriations no work has been done at any of the harbors the present year, except at that of Oswego, New York, on Lake Ontario. The labor at this harbor has been limited to repairs of the pier, upon which the light-house stands. Portions of the rotten timber and sheathing have been removed, for which sound timber has been substituted, and the portions of the pier deficient in ballast stone have been refilled. Three hundred cords of stone have been used for this purpose. Eight hundred lineal feet of covering plank, or flooring, have been substituted for such as were defective.

The estimates for the repair and completion of the harbor works on the several lakes, presented last year, are renewed, and amount, in the aggregate, to $3,078,753 49; of which is required the first year $1,416,782 92. The steam dredge boats on Lakes Erie, Ontario, and Champlain, for want of appropriation to repair, and to prevent total loss, have been sold. The United States have now no dredges on the lakes.

With the report of the engineer will be found additional tables relating to the fluctuations in the elevation of the surface of Lake Michigan, and bearing upon the subject of the existence of a semi-diurnal lunar tide wave in that lake.

Table A, the observations from which are deduced the daily means, from October 1, 1857, to December 31, 1858, wherein the pressure of the atmosphere observed at least three times a day, the temperature of the outer air, that of the mercury in the barometer, the direction and estimated force of the winds, the weather, &c., are added.

Table C, the monthly means, the monthly maxima, minima, and monthly extreme fluctuations; and table D, the yearly means, the yearly maxima and minima, and the yearly extreme fluctuations in the elevation of the surface of Lake Michigan, from observations on the tide-gauge from September 1, 1854, to July 1, 1859.—(See Appendix III.)

SURVEY OF THE DELTA OF THE MISSISSIPPI, AND INVESTIGATIONS TO DETERMINE THE MOST PRACTICABLE PLAN FOR SECURING THE RIVER FROM INUNDATION.

The field operations of the season were limited to water-gauge observations at Carrolton, Louisiana, until the 30th of April. The final report was completed and submitted to the bureau on the 5th of August.

Authority was asked and obtained of the department to print a limited number of copies of the report and illustrative maps and diagrams for immediate distribution by the bureau among the officers of the corps and others engaged in similar investigations. This action was not taken to supersede the printing of the usual number of copies by Congress. On the contrary, the bureau desires, and would urge upon the department and Congress, the printing of a large edition, including a thousand copies for the use of the department, that the valuable information and views on a subject of so much practical interest, and so little understood, may be widely disseminated. The volume—which constitutes No. 4 of Professional Papers of the Corps—will have passed through the press by the close of the present month.—(See Appendix IV.)

REMOVAL OF OBSTRUCTIONS FROM THE MOUTH OF THE MISSISSIPPI RIVER.

The officer in charge reports that the operations during the past season were confined to the Southwest Pass, and extended through the limited period from October 11, 1860—the date to which they were brought up in the supplement of the last annual report—to the 7th of March, when, from the disloyal movements in Louisiana, they were formally suspended by order of the department. The increased depth obtained in the ten contract working months of 1860 was from 16½ feet to 19½ feet—the width of the channel in the narrowest part being increased from about 150 feet to 200 feet.

The success of the operations leads to the belief that the mode adopted at the mouth of the Mississippi would be equally effective under proper modifications of the boats, &c., in opening low-water channels through the sand-bars of the river and tributaries, which become filled, and of course obliterated during the high stages of water. A general description of the boat deemed best adapted to the service is given in the report. The draught of a boat for the Ohio, to operate at a depth not exceeding four or five feet, is set down at eighteen inches, and the estimated cost, including appliances, $12,000. A boat for the Mississippi, below the mouth of the Ohio, to be somewhat larger, to open a channel to a depth of seven to eight feet, and to cost, with apparatus, $15,000. In these views the bureau fully concurs, and trusts that means may be afforded at no very distant day to test the efficacy of a design the success of which has so important a bearing on the prosperity of the entire country drained by the Mississippi and its tributaries.

The report closes with some remarks on the *regime* of the western rivers, which from their source are entitled to the attentive consideration of all who have to deal with the improvement of like watercourses. These are accompanied by two useful tables of navigable depths during the lowest and medial water stages on the principal western rivers. In times of high water, extending through four to six or seven weeks in each year, the western rivers are put down as generally navigable for boats of eight to ten or even twelve feet.

To the report is appended the supervisor's diary, including pertinent remarks and tables of soundings during the operations on the bar for the 9th, 10th, 11th, and $\frac{128}{260}$ of the 12th contract working months.

The receipts and expenditures on account of the work for the fiscal year ending June 30, 1861, were—

Receipts	$36,067 63
Expenditures	32,157 85
Balance, June 30, 1861	3,909 78
Since reduced by incidental expenses to	3,482 08

That part of the same report on the survey of the delta of the Mississippi, the survey of the falls of the Ohio, and the construction and repairs of snag-boats, dredge-boats, &c., is confined, as nothing was done under these appropriations, to stating (with explanations) the incidental expenditures and balances during the fiscal year.—(See Appendix V.)

REMOVAL OF RED RIVER RAFT.

The last appropriation for this work, made August 30, 1852, amounting to $100,000, has long since been expended. Whenever operations are resumed, every consideration of economy and effectiveness points to the suggestion heretofore made, of appropriations at once for a period running through five years; the first year the cost of the proper outfit and current expenses, and for each of the remaining four years the cost of current expenses, as follows:

For the first year: Outfit	$58,000	
Current expenses	52,350	$110,350
For each of the remaining four years:		
Current expenses	52,350	209,400
		319,750

IMPROVEMENT OF THE DES MOINES RAPIDS, IN MISSISSIPPI RIVER.

The small balance remaining of the appropriation for this work at the date of the last annual report has been expended, the agent superintending the operations discharged, and the office closed. To continue the work on the Des Moines rapids an appropriation was then recommended of $200,000; for the Rock Island rapids, $100,000.

IMPROVEMENT OF THE NAVIGATION OF ST. MARY'S RIVER.

The appropriation for this improvement was made in 1856. Of the amount, $65,000 were expended up to the close of the season of 1858, leaving a balance of $35,000 for future operations. An estimate, in addition to this balance, to complete the work, amounting to $77,546, accompanied the annual report of that year. In the annual report of 1859 this amount was increased to $85,000, about ten per cent. being added to renew the dredges and outfit which had been disposed of. The balance remaining at the close of 1858 was applied to the work in 1859, since when nothing has been done. The present balance of the appropriation is $148 60.—(See Appendix VI.)

IMPROVEMENT OF THE NAVIGATION OF ST. CLAIR FLATS.

As no appropriation was made at the late session for this work, nothing was done during the past season in continuance of the improvement. The officer in charge, in his annual report, merely refers to suggestions made in the previous one in regard to further operations. It is gratifying to know from the surveys made this season by direction of the superintendent of the lake survey that the improvement partakes very much of a permanent character. It will be borne in mind that it was suggested in the annual report of 1858 to give the new channel an additional depth of four and a half feet for a width of one hundred and fifty feet, and thus secure a depth of twelve feet during periods of low water in the lakes, such as occurred in 1819 and 1842. The estimated cost of this additional excavation is set down at $50,000.—(See Appendix VI.)

ST. CLAIR FLATS LIGHT-HOUSE AND BEACON.

These structures were turned over completed to the light-house inspector of the eleventh district, and lighted on the 1st of November, 1859. The engineer charged with the construction, in his annual report of October 1, 1860, says: "It is to be regretted that there is not a sufficient balance on hand to construct a suspension foot-bridge between the two lights. It would enable the keeper to perform his duties more regularly in stormy weather." The balance on account of the works at that time was $1,916 59, now reduced by incidentals to $1,686 45.—(See Appendix VI.)

EXPLORATIONS AND SURVEYS.

IN UTAH.

The reports, maps, and illustrations of the explorations in Utah in 1859, by Captain (now Major) J. H. Simpson, of the corps, in progress at the date of the last annual report, were submitted to Congress on the 7th of February. The valuable geographical and other information embodied in this report excites the hope that the proposition to print, made at the time of its receipt, will be renewed and favorably entertained at the coming session.—(See Appendix VII.)

IN NEBRASKA.

The final report, general and geological, and maps, &c., of the explorations and surveys in this region, made satisfactory progress since the date of the last annual report, and would now no doubt have been completed but for the pressing nature of the duties of the officer in charge, Captain G. K. Warren, topographical engineers, as colonel in command of the 5th New York volunteers. The value and extent of the information incorporated in this report, &c., will be seen from a letter from him, dated the 2d of July last, a copy of which is annexed. His usual annual report has been delayed by ill health.—(See Appendix VIII.)

IN CALIFORNIA.

The numerous meteorological observations procured by Captain R. S. Williamson, of the corps, have not been reduced, as no funds under the control of the bureau could be made available for the purpose.

Under the authority of the department, Captain Williamson, in May last, was permitted to accept the position of astronomer on the part of the State of California on the boundary between that State and the Territories of the United States. On the 27th of July he was ordered to repair to this city, and on his arrival early in October was assigned to duty with the army of the Potomac.

IN OREGON.

Subsequent to rendering the last annual report the bureau received the report and map of the explorations of Brevet Second Lieutenant J. Dixon, of the corps, for military wagon roads from Fort Dalles to Lake Harney, and from Lake Harney to Eugene City, Oregon, embracing also the explorations of the country passed over by the command of Major Steen against the Shoshonee Indians. His report and map are hereto annexed.—(See Appendix IX.)

OF SAN JUAN RIVER.

The topographical map of the country passed over in this exploration and the geological report of the same region are in progress, and it is expected that the final report of the officer in charge, Lieutenant Colonel J. N. Macomb, A. D. C., major of the corps, will be in readiness, notwithstanding his duties as chief topographical engineer with the army of the Potomac, for the call of Congress at the coming session.—(See Appendix X.)

OF THE SOURCES OF THE YELLOWSTONE.

The preparation of the report and map of these explorations has occupied the officer in charge, Captain W. F. Raynolds, topographical engineers, and his assistants, since returning from the field, and considerable progress has been made in them. The party was in the field two seasons; passed over nearly five thousand miles of unexplored country, and obtained much valuable information of a geographical and meteorological as well as of other scientific character. Although Captain Raynolds is assigned to duty with the army in the field, his assistants under his direction continue the labors of the office, and will be enabled to bring them to completion even in his absence.—(See Appendix XI.)

FOR THE INTEROCEANIC CANAL.

The maps of the survey of a canal near the Isthmus of Darien, *via* the Atrato and Truando rivers, having made considerable progress at the date of the last annual report, were, with the report of First Lieutenant (now Captain) N. Michler, submitted to Congress on the 13th of February, and ordered to be printed.

ARTESIAN WELLS.

In the absence of the usual annual report of operations under this appropriation, reference is made for the latest information of them to the accompanying letter of Captain (now Major) A. A. Humphreys, formerly in charge of the office of "Explorations and Surveys," transmitting a letter of Captain John Pope, of the corps, (brigadier general of volunteers,) in charge.—(See Appendix XII.)

The office of explorations and surveys was virtually abolished by Special Orders 95, War Department, Adjutant General's office, Washington, April 5, 1861, by which the officer in charge was directed to report to the chief of the corps. He was relieved from a portion of the duties connected therewith on the 16th of April, and of the remainder on the 9th of July, after which dates the officers under his direction rendered their reports to the bureau.—(See Appendix XIII.)

The aggregate of the balances on account of these roads, on January 18, 1860, was $172 66, since expended. No estimates have been submitted for continuing operations on the two roads first named. An estimate for completing the road from Omaha to new Fort Kearney, amounting, including a bridge over Loup Fork, to $108,500, was recommended in 1857, and the recommendation renewed in the last annual report.

IN NEW MEXICO.

Taos to Santa Fé, Santa Fé and Doña Ana, Fort Union and Santa Fé, and Tecalote and Albuquerque.—The appropriations for these roads, made in 1854 and 1855, proved entirely inadequate to their construction. Additional estimates were furnished in 1858; and the bureau, viewing the roads as important for military and commercial purposes, recommended, in the annual report of the following year, the appropriation of the several amounts. At the last regular session of Congress an appropriation of $15,000 of the estimate of $113,000 for the Taos and Santa Fé road was made; about sufficient to complete the division of the road adjacent to Santa Fé. There was also appropriated at the same session $35,000, the whole amount estimated for the completion of the Fort Union and Santa Fé road. Owing to the unsettled state of affairs, it was considered inexpedient to resume the work, and these appropriations are still applicable. The recommendation for appropriations is now renewed, in the hope that at a more propitious period the required means for finishing these important lines of travel may be provided. The estimates for the roads are:

Taos and Santa Fé ($113,000, less $15,000)	$98,000
Santa Fé and Doña Ana	25,000
Tecalote and Albuquerque	23,000

(See Appendix XV.)

MILITARY ROADS.

IN MINNESOTA.

Point Douglass and mouth of St. Louis river, Fort Ripley and main road leading to the Red River of the North, via Crow Wing river, and Mendota and mouth of Big Sioux river.—The operations of the season of 1859 consumed the small balances remaining of the appropriations for these roads. In the annual report of that year further appropriations, based upon estimates to complete them, were recommended, and the recommendation renewed in the last annual report. The amounts are now repeated, in the confident expectation that in the event of more propitious circumstances of the country the work on these important roads will be resumed.

Point Douglass and mouth of St. Louis river	$50,000
Fort Ripley and the Red River of the North	32,800
Mendota to mouth of Big Sioux river	39,700

In case the branch road from Otter Tail lake, on the road from Fort Ripley to the Red River of the North to Fort Abercrombie, heretofore recommended, is adopted, an additional sum of $21,400 will be required.—(See Appendix XIV.)

IN KANSAS AND NEBRASKA.

Fort Riley and Arkansas river, Fort Riley and Bridger's Pass, and Omaha and New Fort Kearney.

IN SOUTHERN OREGON.

Scottsburg and Myrtle Creek, and Myrtle Creek and Camp Stewart.—The small balances of the appropriations for these roads remaining in the hands of Captain R. S. Williamson, topographical engineers, the officer in charge, will be deposited in the treasury, orders to this effect having been issued with the view of closing his accounts in connexion therewith. The balances are, respectively, $262 87 and $75 64.

IN NORTHERN OREGON.

Astoria and Salem.—The officer in charge reports that the balance on hand at the date of the last annual report has since been applied to the further improvement of the road, and that it is now completed. No further appropriation is required.—(See Appendix XVI.)

IN WASHINGTON.

Fort Vancouver and Steilacoom.—As the appropriation of $10,000, made on the 25th of May, 1860, did not become available until the 30th of August, the operations of that season were confined to corduroying the road for 192 feet to render the route already opened, in conjunction with the trail between Monticello and Arkansas creek, available for travel. During the last season a new route, west of the old trail between Jackson's and Chapman's, was selected, opened, and constructed. The road between Monticello and Cowlitz Landing was also improved. Besides grading, embanking, and ditching, 34 bridges of the aggregate length of 1,567 feet, and 4,950 feet of corduroying, have been constructed. That portion of the road from Monticello to Steilacoom, *via* Cowlitz Landing and Olympia, is now open for travel, the mail having been carried over it for the first time in coaches on the 16th of September. A sum of $5,000 is recommended for the further improvement between these points. The recommendation of the sum of $40,000, heretofore made for that part of the route lying between Monticello and Fort Vancouver, is renewed.—(See Appendix XVI.)

Steilacoom and Bellingham Bay.—As no additional appropriation was made, nothing was done on this road during the season. A trail had been opened, practicable for pack mules and stock driving, for seventy-five miles north of Steilacoom, leaving thirty-five miles to Bellingham Bay yet to be completed, at a cost, as heretofore estimated, of $50,000.—(See Appendix I, of report of 1860.)

The following estimates for military roads in Washington Territory, heretofore recommended, are again submitted:

Fort Vancouver, Washington Territory, along Columbia river to Fort Dalles, Oregon	$100,000
Seattle, *via* Snoqualmoo Pass, to the road from Walla-Walla to Fort Benton	100,000
Also the estimate for—	
Improving the navigation of Columbia river between the Cascades and Kettle Falls	60,000

The estimate for a military road from near the mouth of Columbia river, *via* the head of Puget sound, to Port Townshend, is omitted, the necessity not being so immediate.

IN WASHINGTON AND NEBRASKA.

Fort Walla-Walla, Washington Territory, and Fort Benton, Nebraska.—First Lieutenant John Mullan, 2d artillery, who is charged with the construction of this road, reported on the 22d April last his arrival at Fort Walla-Walla with the view of resuming the work in the field. To continue the work for a period of fifteen months from the 1st of April, 1861, according to Lieutenant Mullan's estimate, would require about $85,000. The amount of the appropriation remaining in the treasury, subject to requisition, on the 1st of February, 1861, was $68,000. The amount likely to be secured from the sales of animals and other property at the conclusion of the field-work was estimated at about $14,500; the aggregate available for the work was thus $82,500. He was instructed to limit his expenditures to the amount of the appropriation; and that he should exercise his discretion as regards wintering with his whole party on the route, or reduce it upon the approach of winter, or return and disband it at Walla-Walla. In the last annual report, the length of the road, as then opened, was represented to be six hundred and thirty-three (633) miles. Some improvements are anticipated by a relocation of certain portions of the road, but the principal amount of labor yet to be bestowed will consist of side excavations, clearing of heavy timber, and bridging.

Lieutenant Mullan took the field on the 13th day of May; on the 4th of June the road was completed to the one hundred and fifty-sixth (156th) mile, including bridging; and on the 16th August to the two hundred and twenty-second (222d) mile, including bridging; and that work was then progressing on the bridges of six crossings of the Cœur d'Alène river. At the date last named it was his intention to bring forward supplies from Fort Walla-Walla, and to winter his party in the Bitter Root valley. Arrangements had been made for the delivery of the winter supplies at Fort Benton, by way of the Missouri river, but the loss of the steamer and freight, conveying them, made it necessary to purchase at Fort Walla-Walla sufficient to replace those thus lost.

The latest report from the party is dated 5th September last, and is to the effect that the work has progressed equal to the fullest anticipations of the engineer in charge. On the approach of winter he proposes to reduce the working party, and thus, it is hoped, to carry on the work more economically.—(See Appendix XVII.)

DUTIES OF THE OFFICERS OF THE CORPS DURING THE YEAR.

Colonel J. J. Abert.—In charge of the bureau until April 11; placed on the retired list on September 9.

Lieutenant Colonel James Kearney.—Collecting materials for a chart of Lake Ontario; placed on the retired list September 9.

Major S. H. Long.—Brevet lieutenant colonel; in charge of the improvement of Mississippi river; colonel topographical engineers, September 9.

Major Hartman Bache, brevet major.—Engineer 4th and 7th L. H. districts, treasury department; in charge of the bureau, April 11; lieutenant colonel topographical engineers, August 6.

Major J. D. Graham, brevet lieutenant colonel.—In charge of Lake Harbor improvements; lieutenant colonel topographical engineers, August 6; in charge of the survey of the northern and northwestern lakes, August 31.

Major Campbell Graham.—On leave of absence until April 27; waiting orders; placed on the retired list September 9.

. *Captain T. J. Cram.*—Assistant in the coast survey; mustering in troops, June 19; in the department of Virginia, August 23; major topographical engineers, August 6; lieutenant colonel topographical engineers, September 9; colonel and aide-de-camp, September —.

Captain Howard Stansbury.—In charge of military roads in Minnesota; mustering in troops, June 13; placed on the retired list September 28.

Captain A. A. Humphreys.—In charge of office of explorations and surveys until July 9; of examinations, &c., of the Mississippi in reference to inundations; member of the Light-house Board; major of topographical engineers, August 6.

Captain J. N. Macomb.—Preparing report and maps, &c., of explorations and surveys of San Juan river; engineer 5th L. H. district, Treasury Department; major topographical engineers, August 6; in the department of the Potomac, August 10; lieutenant colonel and aide-de-camp, September 28.

Captain J. H. Simpson.—Preparing report and maps, &c., of explorations and surveys in Utah; mustering in troops, April 15; in the department of Pennsylvania, June 13; major topographical engineers, August 6: colonel 4th New Jersey volunteers, August 6.

Captain J. C. Woodruff.—Assistant in the bureau; in charge of the purchase of instruments, &c., and the engraving and printing of charts of the lake survey; major of topographical engineers, August 6.

Captain W. R. Palmer.—Assistant in the coast survey; in the department Washington, June 14; major topographical engineers, September 9.

Captain Geo. Thom.—In the department of Oregon; in charge of military roads in Oregon and Washington; major topographical engineers, September 9; in the department of Missouri, November 13; colonel and aide-de-camp, November —.

Captain A. W. Whipple.—Engineer of the 10th L. H. district, Treasury Department; in the department of northeastern Virginia, June 1; major topographical engineers, September 9.

Captain Geo. G. Meade.—In charge of the survey of the northern and northwestern lakes; brigadier general of volunteers, August 31.

Captain M. L. Smith.—Assistant in the coast survey; resigned April 1.

Captain John Pope.—Preparing report of sinking artesian wells in Texas; brigadier general of volunteers, May 17.

Captain James W. Abert.—Leave of absence; in the department of Pennsylvania, June 19.

Captain W. B. Franklin.—In charge of the Capitol and Post Office extensions, and the new dome of the Capitol; in charge of the Treasury extension; colonel 12th infantry, May 14.

Captain W. F. Raynolds.—Preparing report and maps, &c., of explorations and surveys in Nebraska; in the department of Virginia, July 13; in the department of Ohio, August 23.

Captain W. F. Smith.—Engineer secretary, Light-house Board, and engineer 11th L. H. district, Treasury Department; mustering in troops, April 15; in the department of Virginia, June 1; in the department of northeastern Virginia, July 20; colonel 3d Vermont volunteers, July 21; brigadier general of volunteers, August 13.

Captain F. T. Bryan.—Assistant in improvement of the Mississippi river; mustering in troops, April 15; in the department of the west, May 9; resigned June 10.

Captain Geo. H. Derby.—Sick leave; died in New York city, May 15.

First Lieutenant R. S. Williamson.—In the department of the Pacific; in charge of barometric investigations; astronomer of the commission on the part of California, for the boundary between that State and the Territories; captain of topographical engineers, August 6; in the department of the Potomac, October 11.

First Lieutenant N. Michler.—Engineer 12th L. H. district, Treasury Department; captain topographical engineers, September 9; in the department of Cumberland, August 24.

First Lieutenant Jno. G. Parke.—Astronomer of the commission on the part of the United States for the northwest boundary, State Department; captain topographical engineers, September 9.

First Lieutenant G. K. Warren.—Assistant professor of mathematics, Military Academy; lieutenant colonel 5th New York volunteers, —— —; colonel 5th New York volunteers, August 31; captain topographical engineers, September 9.

First Lieutenant G. H. Mendell.—Assistant professor of natural and experimental philosophy, Military Academy; in the department of northeastern Virginia, July 15 to August 29; captain of topographical engineers, September 28.

First Lieutenant J. C. Ives.—Astronomer of the commission on the part of the United States for the boundary between the Territories and the State of California; resigned —— —.

First Lieutenant H. L. Abbot.—Assistant in examinations of Mississippi river in reference to inundations; in the department of northeastern Virginia, July 1.

First Lieutenant C. N. Turnbull.—Engineer 1st and 2d L. H. districts, Treasury Department; recruiting company of enlisted men of the corps, September 3.

First Lieutenant J. B. Wheeler.—Acting assistant professor of mathematics, Military Academy; assistant professor of mathematics, Military Academy, August 22; in the department of Virginia, from July 15 to September 5.

First Lieutenant Orlando M. Poe.—Assistant in the survey of the northern and northwestern lakes; in the department of Ohio, May 3; in the department of the Potomac, July 25; colonel 2d Michigan volunteers, September 21.

Second Lieutenant J. L. Kirby Smith.—Assistant in the survey of the northern and northwestern lakes; in the department of Pennsylvania, June 13; first lieutenant topographical engineers, August 3; colonel 43d Ohio volunteers, September 25.

Brevet Second Lieutenant H. S. Putnam.—Assistant in preparing report and maps, &c., of explorations and surveys in Utah; second lieutenant topographical engineers, April 1; mustering in troops, May 8; first lieutenant topographical engineers, August 3; colonel 7th New Hampshire volunteers, October 17.

Brevet Second Lieutenant W. P. Smith.—Assistant in the survey of the northern and northwestern lakes; resigned April 27.

Brevet Second Lieutenant Joseph Dixon.—In the department of Oregon; assistant on military roads in Oregon and Washington; resigned June 28.

Brevet Second Lieutenant W. H. Echols.—In the department of Texas; resigned March 21.

Brevet Second Lieutenant C. R. Collins.—Assistant in preparing the report and maps, &c., of explorations and surveys in Utah; mustering in troops, May 27; resigned June 10.

Brevet Second Lieutenant O. G. Wagner.—In the department of New Mexico; second lieutenant topographical engineers, May 14; in the department of Ohio, July 12; first lieutenant topographical engineers, August 3.

Brevet Second Lieutenant R. F. Beckham.—Assistant in the survey of the northern and northwestern lakes; leave of absence for thirty days, February 15; resigned May 3.

Brevet Second Lieutenant Nicholas Bowen.—In the department of Texas; acting as assistant commissary of subsistence; second lieutenant topographical engineers, May 15; in the department of Ohio, July 8; first lieutenant topographical engineers, August 6.

Brevet Second Lieutenant J. H. Wilson.—In the department of Oregon; assistant on military roads in Oregon and Washington; second lieutenant topographical engineers, June 10; recruiting company of enlisted men of the corps, September 3; first lieutenant topographical engineers, September 9; in the department of South Carolina, October 14.

Brevet Second Lieutenant Alfred Mordecai.—Graduate of the Military Academy, June 24; in the department of Washington, July —; duty with the 3d Maine volunteers, July 8; second lieutenant topographical engineers, August 3; acting assistant adjutant general, August 24; acting assistant professor of mathematics, Military Academy, August 28; transferred to ordnance department, October 23.

It is proper to remark, in connexion with the foregoing statement, that during the months of April and May, when disloyalty assumed a more threatening aspect, and endangered the safety of the seat of government itself, the officers of the army then in the city on duty in the bureau, and on detached service, were at once assigned to the defence of the public buildings and of the various approaches to the city. Of these eight were officers of the corps, and it is understood their services during this period were acknowledged as of the highest importance.

By the act approved August 3 three first and three second lieutenants, and by the act approved August 6 two lieutenant colonels and four majors and one company of soldiers, were added to the corps.

Two officers of the corps were early assigned to recruit the company. The result thus far has been anything but satisfactory. At the rate men have been obtained, five or six years would be required to fill up its ranks. This slow progress is due in part to the want of a suitable depot, and an officer for instruction, (one of the officers detailed for the duty having soon been detached for service in the field,) and of experienced non-commissioned officers for the rendezvous; but principally to the recruiting for the volunteer force, which, strangely enough, all else being equal, is preferred by the class from which recruits are drawn. As this force, however, is now nigh full, it is hoped men may hereafter be obtained more rapidly. As some additional stimulus to the recruiting, it is respectfully recommended that the present law be modified to raise the pay of the privates to $15 a month. The rate of pay of the non-commissioned officers is already higher than in the other arms of service excepting the ordnance. A further modification is also desirable, authorizing the President, at his discretion, to mount such part of the company as he may think proper, to meet escort duty of officers of the corps reconnoitring in face of the enemy. Provision, heretofore omitted, should likewise be made for the purchase of the necessary pontoon train, implements, tools, &c., for which the sum of $37,500 is respectfully recommended.

Under the provisions of paragraphs 16 and 17 of the act approved August 3, the following officers of the corps have been placed on the retired list:

Colonel J. J. Abert, September 9.
Lieutenant Colonel James Kearney, September 9.
Major Campbell Graham, September 9.
Major Howard Stansbury, September 28.

It is desired to call attention to a matter which, as it now stands, gives a false impression as to the cost of the clerical force of the bureau. By section 8 of the civil and diplomatic bill approved March 3, 1855, "all estimates for the compensation of officers of the government authorized by law to be employed shall be based upon the expressed provision of law, and not upon the authority of executive distribution thereof." The cost of the bureau under the above head, set down in the estimates of appropriation for 1861–'62, "based upon the expressed provisions of law," is $10,640; whereas the actual cost, by "authority of executive distribution," is $9,040—being a difference of $1,600, the compensation of a third class clerk, transferred. In the estimates of appropriations for 1862–'63 the difference will be increased by $400, being the difference between the compensation of a third and first class clerk, exchanged.

The great value of the records of the bureau in maps and charts (sheets) alone, mostly originals, numbering from seven thousand to eight thousand, without taking into account atlases, the accumulation of nearly half a century, calls for the adoption of all available means for their safe preservation. Among these is the reduction as far as possible of everything combustible in the place of deposit. The substitution of iron cases for the wooden cases now used for filing away the maps, plans, &c., would go far to effect this object. The estimated cost of these cases is $3,500, an appropriation for which is respectfully submitted for approval by the department. Hereafter a like change in the material may be made in the bookcases, drawing tables, except the tops, drawing stools and benches, &c., &c., and thus confine the risks from fire to the wood-work that enters into the construction of the building, ostensibly fire-proof.

Another point looking to the safe-keeping of the records should also receive attention. Those not only of the bureau, but of all other branches of the service having offices in the same (the Winder) building, are now, from the absence of shutters to the windows of the entire lower story, exposed to the designs of the evil-disposed. At present the sole security is in the sashes, with the ordinary fastening between them. The cost of solid shutters for one window, with all the necessary fastenings, is $15; or for the windows of the bureau, ten in number, $150; or for the windows of the entire lower story, there being thirty-three, $495; with ten per cent. for contingencies, say $550.

The practice which has heretofore prevailed, to some extent at least, of Congress obtaining engraved copies of original surveys, by contracts for a given number, without securing the ownership of the plates in the government, is objectionable at any time, but particularly in view of the present state of things in the country. The arrangement for the production of the required number of engraved copies of the Charleston survey for military purposes completed in 1825, called for by the Senate some thirty years ago, was of this character; and it is only within the last few months that the plates of the survey have been recovered by purchase of the engraver, the probable contractor. Copies of other surveys for military and other purposes were multiplied under like arrangements by order of Congress, but the ownership of the plates, if not now destroyed, is still with the contractors or other private hands. It is hoped the evils of the practice the above statement exposes will hereafter be corrected.

Claims for arrearages for harbors, rivers, roads, &c., amounting to $20,000, are found on the records of the bureau. The recommendation of the previous annual reports for an appropriation for their payment, on the approval of the War Department and adjustment by the treasury, is renewed.

Very respectfully, your obedient servant,

HARTMAN BACHE,
Lieutenant Colonel Topographical Engineers

Hon. SIMON CAMERON,
Secretary of War.

REPORT

OF

THE SECRETARY OF THE NAVY.

Navy Department, *December* 2, 1861.

Sir: The Report from this department under date of 4th July last exhibited the condition of the navy, the administrative measures taken to augment its efficiency, and the general course of its operations up to the commencement of the late special session of Congress. The enlarged estimates of expenditure for the naval service then submitted, contemplated, especially, three different lines of naval operations, upon an extended scale, as demanded by the situation of the country. These were—

1. The closing of all the insurgent ports along a coast line of nearly three thousand miles, in the form and under the exacting regulations of an international blockade, including the naval occupation and defence of the Potomac river, from its mouth to the federal capital, as the boundary line between Maryland and Virginia, and also the main commercial avenue to the principal base of our military operations.

2. The organization of combined naval and military expeditions to operate in force against various points of the southern coast, rendering efficient naval co-operation with the position and movements of such expeditions when landed, and including also all needful naval aid to the army in cutting off intercommunication with the rebels and in its operations on the Mississippi and its tributaries; and,

3. The active pursuit of the piratical cruisers which might escape the vigilance of the blockading force and put to sea from the rebel ports.

These were duties which the navy was called upon at the same time to prepare for and perform, and they constituted a triple task more arduous, it is believed, in some respects, than has before been demanded from the maritime power of any government. I proceed to report briefly the efforts which have been made for its accomplishment.

The limited number of ships and men at command when the proclamation announcing the blockade of the ports of the insurgent States was issued, and the inadequate means provided by the last Congress for the emergency, devolved upon the department the necessity for calling into immediate service not only all the naval forces but vessels from the commercial marine. Purchases were accordingly made and charters hastily executed for the exigency, and orders peremptorily issued to forthwith equip and prepare for service the public vessels that were dismantled and in ordinary at the several yards. The force thus hastily gathered was placed along our coast and divided into two squadrons, one of which, designated as the Atlantic blockading squadron, had for its field of operation the whole coast, extending from the easternmost line of Virginia to Cape Florida, and was under the command of Flag Officer Silas H. Stringham. The other, or Gulf squadron, operating from Cape Florida westward to the Rio Grande, was commanded by Flag Officer William Mervine. These officers repaired to their stations and were reinforced from time to time by the arrival of such vessels as were despatched to their commands, and under their supervision and direction all the ports upon their stations were subjected to a blockade as rigid and effective as the peculiar nature of our maritime frontier, which has through a large portion of its entire extent a double coast, inner and outer, would admit. Our principal naval vessels are not, from their great draft of water, adapted to blockade service on our shallow coast, which has been guarded with extreme difficulty. The ports of North Carolina especially, situated within the interior shallow waters of their sounds and inlets, afforded peculiar facilities to a class of small vessels, aided by fraudulent papers and foreign flags, to elude the vigilance of the sentinel ships whose special duty it was to interdict commerce with the insurgents.

THE POTOMAC FLOTILLA.

It became necessary at an early period to place a flotilla on the lower Potomac. A variety of circumstances combined to render this one of the most embarrassing duties on the whole insurgent frontier, and it was clearly foreseen by the department that without the active co-operation of the army it would be impossible to prevent the navigation of the river from being obstructed by batteries on the Virginia side. For several months, however, the navy, without aid, succeeded, more effectually than could have been expected, in keeping the river open for commercial purposes, and restricting, to a great extent, communication between the opposite shores. In the heroic discharge of this duty the first commander of the flotilla lost his life; but the navy continued to capture every rebel vessel which showed itself on the Potomac, and to give security and protection to the commerce of loyal citizens, until the close of October, when the insurgents erected batteries at sundry points on the Virginia shore, thereby rendering passage on the river dangerous.

THE SQUADRONS.

The duty of guarding the coast and enforcing the blockade has been one of great labor as well as ceaseless vigilance and responsibility. With the steadily increasing force that added to the squadrons, the efforts of the insurgents to elude our ships were also increased, in order to supply the pressing necessities that afflicted the whole of the rebel States. The duties imposed upon the flag officers became correspondingly arduous, and eventually more extensive in their operation and detail than could be well executed by one commander. While the subject of a division of the squadrons was under consideration, Flag Officer Stringham, unaware of the fact, made a proposition to relinquish his command, which was acceded to, and two squadrons were organized on the Atlantic coast. Capt. Louis M. Goldsborough was appointed to guard the shores of Virginia and North Carolina, and raised his flag on the Minnesota on the 23d of September. The residue of the southern Atlantic coast, commencing at the line which separates the two Carolinas and extending to Cape Florida, was intrusted to Capt. Samuel F. Dupont, whose flag was raised on the Wabash, on the 29th of October.

Flag Officer William Mervine was relieved from the command of the Gulf squadron in September by Capt. William W. McKean. The necessity of dividing this squadron, as well as that on the Atlantic seaboard, in order that the coast should be more rigidly guarded, was felt; but the measure was postponed until a larger force could be sent around the peninsula. A vigilant watch has been maintained at the passes of the Mississippi, by which the commerce of New Orleans has been successfully interdicted.

The task of blockading the coast is unattractive and devoid of adventure. Those who have engaged in this rebellion have neither commerce nor a navy to reward or stimulate to exertion.

SINKING VESSELS.

One method of blockading the ports of the insurgent States, and interdicting communication as well as to prevent the egress of privateers which sought to depredate on our commerce, has been that of sinking in the channels vessels laden with stone. The first movement in this direction was on the North Carolina coast, where there are numerous inlets to Albemarle and Pamlico sounds, and other interior waters, which afforded facilities for eluding the blockade, and also to the privateers. For this purpose a class of small vessels were purchased in Baltimore, some of which have been placed in Ocracoke inlet.

Another and larger description of vessels were bought in the eastern market, most of them such as were formerly employed in the whale fisheries. These were sent to obstruct the channels of Charleston harbor and the Savannah river ; and this, if effectually done, will prove the most economical and satisfactory method of interdicting commerce at those points.

VESSELS CAPTURED.

Since the institution of the blockade one hundred and fifty-three vessels have been captured sailing under various flags, most of which were attempting to violate the blockade. With few exceptions, these vessels were in such condition, when seized, as to authorize their being sent at once to the courts for adjudication and condemnation as prizes. Appended to this report is a list of the vessels which have been captured.

SEIZURE OF SOUTHERN PORTS.

A seizure of some of the important ports on the coast commanded the early and earnest attention of this department. It was found that naval stations and harbors of refuge during the tempestuous seasons would be indispensable if hostilities were to be continued, and the stations thus secured could also be made the points of offensive military operations. Shortly after the attention of the government was drawn to this subject, a board was convened under the auspices of the Navy Department, consisting of Captains Samuel F. DuPont and Charles H. Davis, of the navy; Major John G. Barnard, of the army, and Professor Alexander Bache, of the coast survey, to whom a thorough investigation of the coast and harbors, their access and defences, was committed. Several elaborate and valuable reports of great interest, exhibiting in minute detail the position, advantages, and topographical peculiarities of almost every eligible point on the coast, were the results of this important commission.

In view of the data thus presented, two combined naval and military expeditions have already been organized and put in action. Such co-operation and concert of action between the two arms of the public service were indispensable; for, though the navy alone might assail and capture batteries in some positions, it was not within its province or power to retain or garrison them. The operations on shore manifestly pertained to the army, and, on each occasion, as soon as the military forces were ready for these expeditions, the navy was fully prepared and eager for immediate action.

After some delays, an expedition to Hatteras inlet, on the coast of North Carolina, where piratical depredations had become extremely annoying, was undertaken. Flag Officer Stringham commanded in person the naval forces on this occasion, and Major General Butler had command of the small military detachment of about eight hundred men which co-operated with the navy. The expedition was eminently successful in the attack upon and capture of Forts Hatteras and Clark. The entire garrison, under the command of Samuel

Barron, recently and for nearly fifty years an officer of the navy, surrendered after sustaining great loss, while not a life was sacrificed nor an individual of the Union forces wounded. Annexed is the report of Flag Officer Stringham of this achievement, with the letter of approval and congratulation of this department. The military force was inadequate to follow up this brilliant victory by securing a position upon the main land, and there propitiating and protecting the loyal feeling which had begun to develop itself in North Carolina.

It was intended that the success at Hatteras should have been followed in September by a more formidable expedition, and the seizure of a more important position further south. Owing to various causes, independent of the Navy Department or the condition of the navy, this movement was unavoidably postponed until the 29th of October, when a fleet of forty-eight sail, including transports, a larger squadron than ever before assembled under our flag, left Hampton Roads. Capt. Samuel F. DuPont, then recently appointed flag officer, an officer of great skill and experience, and possessing the entire confidence of the department, was selected to command this expedition. In addition to his general professional ability, he had, through careful study and investigation, as chairman of the board which had been ordered in June, special qualification and thorough preparation for the highly important and responsible position assigned to him. Informed of the policy and views of the government in regard to the expedition, prompt to execute its wishes, and having made himself familiar with every eligible port on the southern Atlantic coast, he, as commander of the expedition, was intrusted with the selection, within prescribed limits, of the place where the first assault should be made.

After encountering the severest storm that has visited the coast during the present season, which partially dispersed the squadron, causing the wreck of several of the transports, and compelling even some of the smaller vessels of the navy to put back, the fleet, by the merciful interposition of Providence, was preserved, and appeared before Port Royal, one of the best, though neglected, harbors on our southern coast, on the 5th day of November. So soon as the channel could be buoyed out, and other preliminary measures accomplished, assaults were made on the well built and thoroughly armed forts, Beauregard and Walker. Consummate naval strategic skill and the most admirable gunnery were exhibited in the attack, which was of such tremendous effect that General Drayton and the rebel army surrendered their strongholds, fled the coast with precipitation, leaving their property, armament, and papers, while our naval forces took, and still hold, quiet possession of one of the finest harbors on the Atlantic seaboard. I append Flag Officer DuPont's report of this brilliant achievement, and the letter of this department congratulating him, his officers and men, on their bravery, skill, and success.

A demonstration since ordered by Flag Officer DuPont on Tybee island, at the mouth of the Savannah river, resulted in the capture of that island and the strong Martello tower and battery that virtually command Fort Pulaski. Our naval forces have possession of that island, a part of the south Atlantic squadron is at anchor in the harbor, and the flag of the Union is again unfurled in Georgia. The despatch of Flag Officer DuPont, communicating to the Navy Department an account of this transaction, and the additional fact that the rebels themselves have, in anticipation of our action, placed obstructions in the river at Fort Pulaski, is appended to the report.

Without specifying, in detail, the numerous meritorious achievements which have during the year done honor to the naval service, I append despatches of the commanders, communicating the brave and heroic conduct which has been displayed by our naval officers, sailors, and marines, whose intrepidity, courage, and loyalty were never more marked than in this rebellion.

THE MISSISSIPPI RIVER.

A naval force, auxilliary to and connected with the army movements on the Mississippi and its tributaries, has been organized, and is under the command of Flag Officer Andrew H. Foote, who is rendering efficient service in that quarter.

The steamers which have been built or purchased for this service by the War Department are of a formidable character, and manned by a class of superior seamen and western boatmen, who, in the preliminary skirmishes already, have done good service, and will, I am confident, acquit themselves with credit in the future. Reports are appended exhibiting some of the operations of this command as auxiliary to the military movements on the Mississippi.

PURSUIT OF PRIVATEERS.

It was natural that apprehensions should prevail in regard to armed cruisers commissioned expressly by the rebel leaders to depredate upon our commerce. This robbery of merchants and others engaged in peaceful and lawful pursuits by piratical cruisers is not inconsistent with the general conduct of those who have violated law and moral obligations to gratify inordinate ambition. Our extended commerce presented inducements for piratical warfare, yet but few of our misguided countrymen have prostituted themselves to the purposes of plunder, though thereto invited, and these few have been in constant flight to escape the avenging power of our vigilant naval forces. Such of these cruisers as eluded the blockade and capture were soon wrecked, beached, or sunk, with the exception of one, the steamer Sumter, which, by some fatality, was permitted to pass the Brooklyn, then blockading one of the passes of the Mississippi, and, after a brief and feeble chase by the latter, was allowed to proceed on her piratical voyage. An investigation of this whole occurrence was ordered by the department. Soon the Niagara and the Powhatan, from the Gulf squadron, followed in vigorous pursuit—the latter, though long in commission, and with defective boilers and machinery, under her energetic commander, tracking the piratical craft as far as Maranham. The Keystone State, Richmond, Iroquois, and San Jacinto were also in search of her at different points and periods. Although a piratical rover, without license from any recognized or acknowledged government, and avowedly engaged in the robbery and plunder of our citizens, I regret to say this vessel has been received, and her wants supplied, against the remonstrance of our consuls, by public authorities, in many foreign ports where her character was well known.

REBEL EMISSARIES.

Capt. Charles Wilkes, in command of the San Jacinto, while searching in the West Indies for the Sumter, received information that James M. Mason and John Slidell, disloyal citizens and leading conspirators, were with their suite to embark from Havana in the English steamer "Trent," on their way to Europe to promote the cause of the insurgents. Cruising in the Bahama channel he intercepted the Trent on the 8th of November, and took from her these dangerous men, whom he brought to the United States. His vessel having been ordered to refit for service at Charlestown, the prisoners were retained on board and conveyed to Fort Warren, where they were committed to the custody of Colonel Dimmick, in command of that fortress.

The prompt and decisive action of Captain Wilkes on this occasion merited and received the emphatic approval of the department, and if a too generous forbearance was exhibited by him in not capturing the vessel which had these rebel enemies on board, it may, in view of the special circumstances, and of its patriotic motives, be excused; but it must by no means be permitted to constitute a precedent hereafter for the treatment of any case of similar infraction of neutral obligations by foreign vessels engaged in commerce or the carrying trade.

THE NAVAL FORCE AND ITS INCREASE.

This brief review of the principal operations of the navy, under the new and extraordinary demands that were made upon its efficiency, naturally introduces an exposition of the measures adopted in conformity with the legislative policy of Congress to increase its available force. The measures which were adopted by the department, in advance of the special session in July, for augmenting the navy, and the recommendations and suggestions which I had the honor at that time to submit, received the sanction and approval of Congress. Immediate action had been rendered necessary in consequence of events that had been precipitated upon the country, and for which no legislative provision had been made. Only a feeble force of men and vessels, scarcely sufficient for ordinary police operations, was at that time available on the Atlantic coast. In order that the condition of the navy on the 4th of March may be rightly understood, it will be well to state the position and character of each of the vessels at that date.

The home squadron consisted of twelve vessels, and of these only four were in northern ports and available for service, viz:

Name.	Class.	No. of guns.	Where stationed.
Pawnee	Screw sloop	8	At Washington.
Crusader	Steamer	8	At New York.
Mohawk	Steamer	5	do.
Supply	Storeship	4	do.
4 vessels		25	

The remaining vessels of the squadron were stationed as follows:

Name.	Class.	No. of guns.	Where stationed.
Sabine	Frigate	50	Pensacola.
St. Louis	Sloop	20	do.
Brooklyn	Steamer	25	do.
Wyandotte	Steamer	5	do.
Macedonian	Sloop	22	Vera Cruz.
Cumberland	Sloop	24	Returning from Vera Cruz.
Pocahontas	Steamer	5	
Powhatan	Steamer	11	
8 vessels		162	

The Powhatan arrived at New York on the 12th of March, and sailed early in April for Fort Pickens. The Pocahontas reached Hampton Roads on the 12th of March, and the Cumberland on the 23d of the same month.

Of vessels on foreign stations, the following have returned in obedience to orders from the department:

FROM MEDITERRANEAN.

Name.	Class.	No. of guns.	Date of arrival.
Richmond	Steam sloop	16	July 3.
Susquehanna	Steam sloop	15	June 6.
Iroquois	Steam sloop	6	June 15.

FROM COAST OF AFRICA.

Name.	Class.	No. of guns.	Date of arrival.
Constellation	Sloop	22	September 28.
Portsmouth	Sloop	22	September 23.
Mohican	Steam sloop	6	September 27.
Mystic	Steamer	5	October 7.
Sumter	Steamer	5	September 15.
San Jacinto	Steam sloop	13	November 15.
Relief	Storeship	2	October 12.

FROM COAST OF BRAZIL.

Name.	Class.	No. of guns.	Date of arrival.
Congress	Frigate	50	August 12.
Seminole	Steam sloop	5	July 6.

The following have not yet arrived.

FROM EAST INDIES.

Name.	Class.	No. of guns.	Date of arrival.
John Adams	Sloop	20	
Hartford	Steam sloop	16	
Dacotah	Steam sloop	6	

The following are to remain abroad :

Name.	Class.	No. of guns.	Where stationed.
Saratoga	Sloop	18	Coast of Africa.
Pulaski	Steamer	1	Coast of Brazil.
Saginaw	Steamer	3	East Indies.

Add to these the vessels on the Pacific coast, the steam frigate Niagara, which was returning from Japan, and four tenders and storeships, and there was a total, as stated in the last report, of 42 vessels, carrying 555 guns and about 7,600 men, in commission on the 4th of March last.

Without waiting the arrival of vessels from our foreign squadrons, the department early directed such as were dismantled and in ordinary at the different navy yards, and which could be made available, to be repaired and put in commission. They are. exclusive of those lost at the Norfolk navy yard, embraced in the following table:

Names.	Where.	Ordered to be prepared for sea service with despatch.	Put in commission or ready for officers and crew.	Sailed.
Frigates.		1861.	1861.	1861.
Potomac	New York	April 27	July 30	Sept. 10
St. Lawrence	Philadelphia	April 20	Late in May	June 29
Santee	Portsmouth, N.H.	April 17	May 27	June 20
Sloops.				
Savannah	New York	April 1	June 1	July 10
Jamestown	Philadelphia	April 9	May 18	June 8
Vincennes	Boston	do	June 24	July 12
Marion	Portsmouth	April 20	June 30	July 14
Dale	do	do	do	July 17
Preble	Boston	do	June 22	July 11
Brigs.				
Bainbridge	Boston	April 20	May 1	May 21
Perry	New York	do		May 14
Steamers.				
Roanoke	New York	April 20	June 20	June 25
Colorado	Boston	do	June 3	June 18
Minnesota	do	April 3	May 2	May 8
Wabash	New York	April 9	April 29	May 30
Pensacola	Washington			
Mississippi	Boston	April 6	May 18	May 23
Water Witch	Philadelphia	Feb. 14	April 10	April 17

When the vessels now building and purchased, of every class, are armed, equipped, and ready for service, the condition of the navy will be as follows:

OLD NAVY.

Number of vessels.	Guns.	Tonnage.
6 Ships-of-Line	504	16,094
7 Frigates	350	12,104
17 Sloops	342	16,031
2 Brigs	12	539
3 Store-ships	7	342
6 Receiving ships, &c	106	6,340
6 Screw frigates	222	21,460
6 First class screw-sloops	109	11,953
4 First class side-wheel steam sloops	46	8,003
8 Second class screw-sloops	45	7,593
5 Third class screw-sloops	28	2,405
4 Third class side-wheel steamers	8	1,808
2 Steam tenders	4	599
76	1,783	105,271

PURCHASED VESSELS.

	Guns.	Tons.
36 side-wheel steamers	160	26,680
43 screw steamers	175	20,403
13 ships	52	9,998
24 schooners	49	5,324
18 barks	78	8,432
2 brigs	4	460
136	518	71,297

VESSELS CONSTRUCTED.

	Guns.	Tons.
14 screw sloops	98	16,787
23 gun-boats	92	11,661
12 side-wheel steamers	48	8,400
3 iron-clad steamers	18	4,600
52	256	41,448

Making a total of 264 vessels, 2,557 guns, and 218,016 tons. The aggregate number of seamen in the service on the 4th of March last was 7,600. The number is now not less than 22,000.

CONSTRUCTION OF NEW VESSELS.

Most of the public armed vessels being of such size and draught of water that they could render only imperfect blockading service, immediate measures were taken by the department to carry into effect the policy of the government, in advance of the special session of Congress, by contracting for the construction of twenty-three steamers, which should be of light draught, but heavy armament. Congress, at the regular session, had authorized the building of seven screw steamers, and as there were four yards, in each of which two might be built, the department, in the existing emergency, and in anticipation of the action of Congress when it should convene, directed the construction of eight, dividing them into two classes of about one thousand and fourteen hundred tons, respectively. At the special session, Congress not only sanctioned the action of the department in the construction of these thirty-one steamers, but it authorized the further construction of twelve side-wheel steamers of light draught, and of six of larger capacity, to be modelled and built specially for speed. Many of those first ordered are already in commission, and the others are in rapid progress towards completion. If, with those above enumerated, we include three iron-clad, or armor steamers, which are being built from the money appropriated for that purpose at the special session, there will be under these several arrangements an addition, when they are completed, of fifty-two new steamers, peculiarly adapted to the required blockade or coast guard duty, added to the navy. No sailing vessels have been ordered to be built, for steam, as well as heavy ordnance, has become an indispensable element of the most efficient naval power.

PURCHASE OF VESSELS.

The public vessels and the public yards, in their capacity of construction and repair, were, however, totally inadequate to the demands that are now pressing on this branch of the government, and the department was compelled to resort to the commercial marine to make good the deficiency. Vessels of every class and description were promptly tendered by sellers and their agents, who, in many instances, became dissatisfied when their offers were not accepted.

This new necessity of the government, involving a large expenditure, and the purchase of suitable vessels, imposed an important responsibilty; and the task of making suitable arrangements to insure the prompt and systematic purchase, on the best and most reasonable terms for the government, of a large number of vessels most suitable for its use, was attended by peculiar difficulties, and received mature consideration. The purchase might be made directly by the department, or by boards of officers under its control at the principal ports where the vessels were to be bought, and especially at the great central point of supply for such a demand, the port of New York.

But to both these methods of procedure the briefest trial disclosed serious objections. It was manifest from the first that the department, charged suddenly with the organization and superintendence of new and arduous naval operations on a large scale, in addition to its current business, could not possibly itself devote to the numerous details of each case of purchase the time and attention needful fully to protect the interests of the government. It was equally clear that boards of officers, acting in a mere mercantile capacity, new to them, and for which they had neither been practically trained nor professionally commissioned, would be subjected to great embarrassment and disadvantage in their dealings with sellers of ships and professional ship brokers, in a market suddenly pressed by a heavy and peremptory demand. Yet the department could rely, and it did rely, with the fullest confidence upon the professional judgment and ability of its ordnance officers, naval constructors, and engineers, all acting under the responsibility of their commissions, to investigate and determine the whole question of the adaptation, in all respects, of each ship offered, and of its capacity to be by alteration fully adapted to perform the particular service required by the government. This work, with the corresponding authority of selection and rejection of all vessels, was therefore exclusively committed to boards consisting each of an experienced naval constructor and engineer and an ordnance officer, convened and stationed for the purpose at New York, and the other principal cities. The mere mercantile part of the business—the making of the best bargains possible for the government in each case, with the care of averting all intervention of third parties, which might embarrass the attainment of that result—was considered by the government to be placed most properly in the hands of a mercantile agency of a high and established character for integrity, experience, and capacity. Obvious reasons, including the consideration that it is individual responsibility which is always felt most keenly, and that several agents, all acting separately for the government at the same places, would necessarily compete with each other to its disadvantage in the market, indicated that this agency should be tendered to a single, properly qualified individual, upon the distinct understanding that he should devote his whole time, attention, and ability to the work; that he should in no case make any charge against the government for his service; that he should deal always directly and exclusively with the owners of the vessels purchased, thus permitting no brokerage fees, or agents' commissions, between himself and the owners; and that, finally, his own commission, payable always by the seller, should in no case exceed the regular mercantile percentage fixed by the Chamber of Commerce of New York, and established by the custom of merchants in that city as the rightful and legal rate of remuneration for such services rendered by any person acting between the sellers and purchasers of vessels.

The agent thus selected was a merchant, who had been connected with one of the most successful and extensive commercial firms in this country—a gentleman of great business capacity, and of the most scrupulous and unquestioned integrity. Relinquishing all private engagements, and withdrawing from all business connexions of every description, this gentleman has devoted his whole time and energies with untiring fidelity to the service of the department and the country.

By the system thus adopted the very best vessels in the commercial marine have been secured for the naval service at moderate rates, and to the great advantage of the government. The course pursued in these purchases has extemporized a navy at less cost to the government, it is believed, than that required for the construction of the same or equally serviceable vessels; and a question which, at the commencement, was one of embarrassment and difficulty, has been disposed of, and in no particular has the country been better served.

Subjoined is a statement from the purchasing agent at New York, with a schedule giving the name, tonnage, price demanded, and cost actually paid of every vessel that has been bought by him, and also of all added to the navy since the change of administration in March last. There is abundant reason to congratulate ourselves that, on such a demand, in such a crisis, we were enabled to make so speedy and so large an acquisition to the naval service, and on terms so economical to the government.

The expenditure in fitting for sea service the vessels at the different navy yards, and repairing and equipping those returning from our foreign squadrons, has been large. Eleven thousand mechanics and laborers have been in the daily employ of the government at the different navy yards in building and preparing vessels, and equipping and arming them for service; but this large force has been unable to despatch the work with the rapidity demanded, and the department has been compelled in consequence to resort to private shipyards and outside labor.

ARMORED SHIPS.

To carry into effect the provisions of the act approved August 3, 1861, providing for the construction of one or more armored ships and floating batteries, I appointed Commodores Joseph Smith and Hiram Paulding and Captain Charles H. Davis, skilful and experienced naval officers, to investigate the plans and specifications that might be submitted. The subject of iron armature for ships is one of great general interest, not only to the navy and country, but is engaging the attention of the maritime powers of the world. Under the appropriation made by Congress, the department, on the favorable report of the board, has contracted for the construction of three iron-clad ships of different models, the aggregate cost of which will be within the limits of the appropriation. The difficulty of combining the two qualities of light draught and iron armor, both of which are wanted for service on our coast, could not be entirely overcome; but the board, in this new branch of naval architecture, has, I think, displayed great practical wisdom, and I refer to their very full and able report, which is appended, for a more explicit and detailed exhibit of their inquiries and conclusions.

STEVENS'S BATTERY.

In pursuance of the joint resolution of Congress approved June 24, 1861, authorizing the Secretary of the Navy to appoint a board to examine the iron steam battery now building at Hoboken, New Jersey, and ascertain what will be the cost of completing the same, how soon it can be completed, and the expediency thereof, I appointed Commodores Silas H. Stringham and William Inman, Captain T. A. Dornin, Chief Engineer A. C. Stimers, and Joseph Henry, Esq., Secretary of the Smithsonian Institution, a commission, and directed them to assemble on the 1st of November to prosecute the examination. The department has information that the board convened, but has as yet received no report of its proceedings.

INCREASING THE EFFICIENCY OF THE NAVY.

The efficiency of the navy may unquestionably be largely increased by creating more grades, and I would recommend that the permanent organization of the line officers be as follows:

Flag officer—to command squadrons.
Commodore,
Captain,
Commander,
Lieutenant commander,
} To command single ships.
Lieutenant.
Master.
Passed midshipman.
Midshipman.
Cadet.

The lieutenant commanders, a grade used during the revolution, may be employed as first lieutenants, and in the command of the smaller class of naval vessels.

The present rate of pay may be so apportioned among the different grades that in the aggregate there shall be no increase. Let no officer be advanced to any grade above that of passed midshipman except upon nomination of the President and confirmation by the Senate, after a board of officers shall have pronounced him morally, physically, and professionally competent to perform all his duties, both ashore and afloat.

The public service would also be promoted were some limit of age fixed by law for active service. I would, therefore, respectfully suggest that line officers be retired after having been forty-five years in the navy, excepting when called into active service by special appointment from the President. A generous pecuniary provision should be made for those who are retired after long and faithful service.

To satisfy the immediate demands of the public service, I recommend that a grade to be designated flag officer be established, and that the President, by selection from the present list of captains and commanders, appoint a number not exceeding seven, who shall each have command, irrespective of seniority or rank, of the squadron to which he may be assigned, and the appointment shall cease when the officer hauls down his flag, unless for distinguished and meritorious conduct in battle, as flag officer, he receives, upon recommendation of the President, the thanks of Congress.

RETIRING BOARDS.

Under the provisions of an act authorizing a naval retiring board, entitled "An act providing for the better organization of the military establishment," approved August 3, 1861, a board has been assembled, and is composed of Commodore George W. Storer, president; Commodore Charles H. Bell, Captain D. G. Farragut, Surgeons Charles Chase and L. B. Hunter, members; and Philip Hamilton, Esq., judge advocate. The board convened at Brooklyn on the 18th of October last, and is still prosecuting its duties.

A like board assembled at the same place on the 6th of November, under authorization by the same law, for retiring such marine officers as have become incapable of performing the duties of their office: This board is composed of Colonel John Harris, commandant of the corps, president; Brevet Major Jacob Zeilin, Major William B. Slack, Surgeons Solomon Sharp, and Charles D. Maxwell, members; and P. T. Woodbury, Esq., judge advocate.

Availing themselves of the provisions of the act referred to, several officers of the navy and of the marine corps have, upon their own application, been placed on the list of retired officers, after having been forty years in the service of the United States.

ACTING APPOINTMENTS.

In my report at the commencement of the special session I made mention of the fact that the appointment of acting lieutenants had been conferred on certain gentlemen who had retired from the navy in peaceful times, but who, when the flag was assailed, promptly tendered their services in its defence. It was not within the power of the department to restore these gentlemen to the line of promotion, but they were placed in the position of, and assigned to duty as, acting lieutenants, where they have rendered good service, and proved themselves worthy of their profession whenever they have had an opportunity, either at Hatteras, Port Royal, the Gulf, or elsewhere. There are fifteen of these formerly naval officers who have received the appointment of acting lieutenants. The question of full restoration to these gallant officers, whose names are untarnished, and who have acquitted themselves with honor to their profession, is one of interest to themselves and the country.

In pursuance of the policy indicated by Congress at the extra session, there have been appointed from the commercial marine twenty-five acting volunteer lieutenants. Great care has been exercised in the selection of these officers, who, beside their general reputation for nautical skill, have undergone an examination as to their fitness and qualfications by a board constituted for that purpose.

There have also been appointed for active service in the navy, independent of officers of the line, four hundred and thirty-three acting-masters, and two hundred and nine master's mates. All of these masters have had sea experience, and nearly every one has been a successful navigator and commander in the merchant service. It was soon found necessary also to require that master's mates should have previous sea experience to qualify them for appointment. In order to prepare the different classes of officers introduced from the mercantile marine for duty in the naval service, schools for gunnery and proper training were established at the navy yards, where the appointees have been drilled and disciplined for navy duty. The officers thus selected are, with scarcely an exception, highly meritorious, and would be a credit to any service. Composed as they are of the best material in the best commercial marine on the globe, the spirit and zeal with which they surrender their more peaceful pursuits for the severe and rigid discipline of the navy does honor to their country and themselves.

The assistant paymasters authorized to be appointed by the act of July last have been selected, but the increase of thirty-six was insufficient for the service with the large addition of vessels and crews that have been ordered. I have therefore been compelled to make further appointments of acting assistant paymasters, of whom there are now sixty-one on duty. Their appointments are temporary, for the cruise or the war, and made when there are no unemployed paymasters or assistant paymasters of the regular corps who can be detailed for the duty required.

Acting appointments of engineers and assistant engineers and of assistant surgeons have necessarily been made, in addition to the regular corps, to meet the new and extraordinary demands of the service. There has been an aggregate of nine hundred and ninety-three acting appointments for temporary service made by the department since the present difficulties commenced. That there may in some instances have been improper selections in consequence of improper recommendations is not improbable, but such are exceptional cases. In some instances men possessing high and excellent traits in other respects have been found addicted to intemperance. This is a disqualification in any officer, and whenever this habit has been detected there has been no hesitation in revoking at once the appointment.

MARINE CORPS.

The report of the commandant of the marine corps is herewith transmitted. Under the provisions of the act of March 3, 1849, with your approval, orders were given in April and May to enlist 1,152 additional non-commissioned officers and privates, to meet the requirements of the service. A large number of able-bodied men of a superior class were very readily obtained, and the increased demand for guards for vessels has rendered necessary an additional increase of five hundred privates, with the necessary non-commissioned officers which number you have recently authorized to be enlisted. A general return of the corps for October accompanies the report of the commandant and shows the actual strength of the corps, ashore and afloat, to have been at that time two thousand nine hundred and sixty-four.

In July last, a battalion of 12 officers and 336 men, under Major J. G. Reynolds, was detailed for duty with the army of the Potomac, under General McDowell. They were in the engagement at Bull Run, and Major Reynolds's report thereof will be found herewith. A similar battalion of 19 officers and 330 men, under the same officer, was despatched with the expedition to Port Royal.

NAVAL SCHOOL.

Temporary accommodations for the Naval School have been provided, and the officers and students made comfortable at Newport, where the institution was located upon its removal from Annapolis, until Congress shall take some order on the subject of its future permanent location. Much of the public property appertaining to the school was hastily removed, but many conveniences and much that is essential were left at Annapolis, where they still remain in charge of a person to whose custody they were committed. No legislation was consummated at the extra session towards filling up the school to its full complement in consequence of disagreement between the two houses as to the method of appointment, although each branch expressed an opinion that the deficiency ought to be supplied.

I would respectfully renew the recommendations and suggestions made in my former report, not only that the deficiency should be supplied, but that for a period, at least, the number should be largely increased. In regard to the selection of students when representatives neglect or refuse to make the nominations, or when a district omits to elect a representative, it is suggested that the President or the Secretary of the Navy be authorized to perform that duty.

The institution is one of too great national importance to be neglected. It is there that the youth are to be educated who in the future must maintain and elevate the character of the navy. I have deemed it important that the accomplished superintendent, whose fidelity to his trust was exhibited under trying circumstances, should be continued in the position he has filled so acceptably until the school shall be again permanently established. But, even under the disadvantage of a temporary location, the country should avail itself of the opportunity to educate, for a period at least, double the number now authorized by law.

EMPLOYMENT OF FUGITIVES.

In the coastwise and blockading duties of the navy it has been not unfrequent that fugitives from insurrectionary places have sought our ships for refuge and protection, and our naval commanders have applied to me for instruction as to the proper disposition which should be made of such refugees. My answer has been that, if insurgents, they should be handed over to the custody of the government; but if, on the contrary, they were free from any voluntary participation in the rebellion and sought the shelter and protection of our flag, then they should be cared for and employed in some useful manner, and might be enlisted to serve on our public vessels or in our navy yards, receiving wages for their labor. If such employment could not be furnished to all by the navy, they might be referred to the army, and if no employment could be found for them in the public service they should be allowed to proceed freely and peaceably without restraint to seek a livelihood in any loyal portion of the country. This I have considered to be the whole required duty, in the premises, of our naval officers.

NAVAL DEPOT ON THE LAKES.

I have been desired to invite attention to the fact that there is no naval depot on the lakes, notwithstanding the vast amount of tonnage on that frontier, and to state that if there were one and the ability to arm the merchant marine, our rights on the lakes would be made secure.

CAPTURE OF SLAVER.

There has been but one vessel seized by the African squadron for being engaged in the slave trade since those mentioned in the last report of this department, the American brig Triton, by the United States ship Constellation, in the Congo river, on the 20th of May last. She arrived at New York on the 10th of July, in charge of Midshipman G. A. Borchert, and was turned over to the United States marshal.

THE BUREAUS.

The reports of the chiefs of the respective bureaus attached to this department present the condition of affairs coming under their cognizance in detail. Their labors and responsibilities have been greatly increased by the events that have occurred during the present year, but their duties have been discharged with ability and fidelity to the government, and that, too, in many respects, under peculiar disadvantages.

The navy yards at Norfolk and Pensacola, being in the hands of the insurgents, the chief of the Bureau of Yards and Docks has not had them under his supervision but for a small portion of the year. His labors, however, have not been diminished or less arduous in consequence.

At no period since its establishment has the Bureau of Construction had so great an amount of labor devolved upon it as during the current year. Not only the design and construction of the large number of vessels ordered to be built, but the repair and equipment of all that have been put in commission, with other attending duties, have come under the cognizance of the chief of that bureau and received his unremitting attention.

The emergency has put in requisition the energy and talent attached to the Ordnance Bureau, which, under many embarrassments, has met the demand upon it, and if, at the commencement of our difficulties, the wants of the government could not, in all instances, be supplied with the rifled cannon and Dahlgren heavy ordnance, that branch of the service is now furnishing guns and munitions with a rapidity and of a description unsurpassed in any service. The occasion is such as to stimulate into greater activity the inventive faculties and powers of the distinguished commandant of the Washington yard, whose services are as valuable to the country, and entitled to as high regard, as those of the most successful flag officer who commands a squadron. For more specific details I would refer you to the report of the Ordnance Bureau.

Most of the contracts in the Bureau of Provisions and Clothing were made on the basis of a force not exceeding 8,500 men in actual service, but the greatly increased numbers and the enhanced prices of many articles have been attended with serious consequences to the contractors, some of whom have been unable to fulfil their engagements. I am happy to say, however, that the vigilant chief of that bureau has permitted none of our squadrons to be deficient in consequence of these failures.

The affairs of the Bureau of Medicine and Surgery have been further systematized and improved under the judicious management of its intelligent chief. Like every other branch of the service, the medical staff has been largely increased, not only in the regular corps but by acting appointments.

The action of the several bureaus has been eminently satisfactory under the circumstances of the period. That the organization of the department might be modified, and an improved distribution and classification of the duties that legitimately belong to it be made, I have no doubt. Some of these have been heretofore suggested by my predecessors, and are referred to by me at this time with deference, but with a sincere conviction that more systematic efficiency might thereby be produced.

ESTIMATES AND APPROPRIATIONS.

The amount appropriated at the last regular session of Congress for the naval service for the current year was $13,168,675 86. To this was added at the special session in July last $30,446,875 91—making for the fiscal year ending June 30, 1862, an aggregate of $43,615,551 77. This sum will not be sufficient, however, for the purpose, and therefore additional appropriations will be necessary. There will be required to pay for vessels purchased, and for necessary alterations incurred in fitting them for naval purposes, the sum of $2,530,000; for the purchase of additional vessels, $2,000,000; and for the construction and completion of twenty iron-clad vessels, $12,000,000—making a total of $16,530,000. This sum is independent of the estimates submitted for the next fiscal year, and being required for current expenses as well as objects of immediate importance, it is desirable should receive early attention from Congress.

The estimates submitted by this department for the fiscal year ending June 30, 1863, amount to $44,625,665 02, viz:

For the navy proper	$41,096,530 25
For the marine corps	1,105,656 77
For navy yards, hospitals, magazines, and miscellaneous objects	2,423,478 00

The reports of the chiefs of the bureaus and the commandant of the marine corps, with their accompanying estimates, exhibit in detail the objects for which the appropriations are required. I would also refer to these reports as containing information and suggestions in regard to matters pertaining to the several departments of the naval service.

CONCLUSION.

In concluding this report, it gives me pleasure to acknowledge the important aid I have received in the administration of the department from the zealous and very efficient co-operation of the Assistant Secretary and the clerical force of the department proper, and from the Chiefs of the several bureaus, and those performing public duty under their immediate superintendence and direction.

To the patriotic officers of the navy, and the brave men who, in various scenes of naval action have served under them, the department and the government justly owe an acknowledgment even more earnest and emphatic. Courage, ability, unfaltering fidelity, and devotion to the cause of their country, have been the general and noble characteristics of their conduct in the arduous and important service with which they have been intrusted. I state with all confidence that in their hands the historic renown of the American navy has been elevated and augmented. In this convulsive crisis of our country the duties of this department have been new and heavy, and its responsibilities great. I have met them all with entire honesty of purpose, and have labored assiduously and faithfully to discharge them. The result of my labors I respectfully submit to you, and through you to the judgment of Congress and the country.

GIDEON WELLES,
Secretary of the Navy.

TO THE PRESIDENT.

REPORTS FROM OFFICERS.

Captain H. A. Adams's report of the re-enforcing of Fort Pickens, April 14.

UNITED STATES FRIGATE SABINE,
Off Pensacola, April 14, 1861.

SIR: I have the honor to inform you that immediately on the receipt of your order by Lieutenant Worden, on the 12th instant, I prepared to re-enforce Fort Pickens. It was successfully performed, on the same night, by landing the troops under Captain Vogdes, and the marines of the squadron under Lieutenant Cash. No opposition was made, nor do I believe the movement was known on shore until it was accomplished.

A strong party of officers and seamen were sent to assist in case of resistance, who afterwards returned to their ships. The marines remained in the fort at the request of Captain Vogdes, a copy of which I enclose. The whole expedition was under the charge of Commander Charles H. Poor, assisted by Lieutenant Smith, of the Brooklyn, Lieutenants Lewis and Newman, of the Sabine, and Lieutenant Belknap, of the St. Louis; and it is highly creditable to these officers that this service was performed without accident or disorder under unfavorable circumstances. The Brooklyn, Captain Walker, and the Wyandotte, Lieutenant Commanding Mullany, were very skilfully managed. They carried the landing party to the designated spot with accuracy, in spite of the darkness of the night, and not having the light-house to guide them, the light having been extinguished early in the evening.

Very respectfully, your obedient servant,

H. A. ADAMS,
Captain, Senior Officer present.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington.

Captain J. H. Ward's report of an action at Acquia creek, May 31.

UNITED STATES STEAMER THOMAS FREEBORN,
Off Acquia creek, Potomac river, May 31, 1861.

SIR: My immediate commanding officer, Flag-Officer Stringham, not being present to receive it, I communicate directly to the department the report of a serious cannonade made by this vessel, supported by the Anacostia and Resolute steamers, upon the batteries at Acquia creek this morning.

After an incessant discharge kept up for two hours by our 32-pounders, and the expenditure of all the ammunition suitable for distant firing, and silencing completely the three batteries at the railroad terminus, the firing having been rapidly kept up by them until so silenced, and having been recommenced from the new batteries on the heights back, which reached us in volleys, dropping the shot on board and about us like hail for nearly an hour, but fortunately wounding but one man, I hauled the vessel off, as the heights proved wholly above the reach of our elevation.

Judging from the explosion of our ten-second shells in the sand batteries, two of which were thrown by the Anacostia, it is hardly possible the enemy can have escaped considerable loss. Several others of the Anacostia's shells dropped in the vicinity of the battery.

I cannot speak in too high terms of the officers and men whose coolness and activity under great exposure are beyond praise. As the former are all acting, having volunteered from civil life, none but myself being of the regular navy, I beg leave to ask for them a favorable consideration by the government.

The long 32-pounder in use is of the old patern, cast in 1819, and cannot be excelled in precision.

Both the guns are on carriages of the new construction devised by myself, and answered admirably, working with such ease that the crews came out of action wholly unfatigued. To the extreme sweep of 140 degrees which these carriages have, together with their ease and rapidity of movement, enabling the vessel to constantly change position, yet keep up an active fire which impaired the enemy's range and direction, he firing always with rifled cannon, is to be materially attributed our escape without loss of life, or damage to the vessel or machinery. The men say they are as fresh from fatigue as when they entered action.

We cannonaded an hour before the same batteries day before yesterday, but the tide being out, neither party reached with any considerably certainty.

I doubt if it is possible to reduce the batteries, now established on the heights, from ships, nor is it at all important, considering that they are remote from the ship channel of the river, and command only the railroad terminus.

Yesterday I landed in person, with Acting Master Budd and Master's Mate Lee, and a small party of seamen, and made a most minute exploration, extending over the whole of Matthias Point. I am therefore able to speak with occular certainty, and to say that not a sign of a movement, the cutting of a sapling, driving a stake, or casting a shovelfull of earth towards the erection of a battery exists. The jungle is very thick, but we penetrated a belt of it 300 yards wide from the shore, and three miles in length, assuring ourselves of the facts as stated in this report. * * * * * * *

I have the honor to be, sir, your obedient servant,

J. H. WARD,
Commander U. S. Navy, Commanding Flotilla.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

Captain J. H. Ward's report of second day's action at Acquia creek, June 1.

FLOTILLA STEAMER FREEBORN,
Potomac river, June 1, 1861.

SIR: I have the honor to report a renewal of the bombardment at Acquia creek, commencing at 11.30 a. m. this day, and terminating, from fatigue of the men, the day being very warm and the firing on our side incessant, at 4.30 p. m., making a duration of five hours.

The firing on shore was scarcely as spirited at any time as yesterday. The heights were abandoned, the guns having been transferred apparently to the earthworks at the railroad terminus, in replacement of the battery silenced there by us yesterday.

During the last hour of the engagement only two or three shots were thrown from the shore by a few individuals, seen stealthily now and then to emerge from concealment, and hastily load and fire a single gun. The bulk of the party had left a half hour before, and squads were seen from time to time taking to their heels, along the beach, with a speed and bottom truly commendable for its prudence, and highly amusing to the seamen. It did not seem advisable to permit so feeble a fire to wear out my men, therefore discontinued the engagement.

Several shots came on board of us, causing the vessel to leak badly, and, besides other injuries, crippling the port-wheel, the wrought iron shaft being gouged by a shot which would have shattered it if of cast iron—a point considered by me in selecting this vessel for purchase.

Fortunately I have again neither killed nor wounded, though the shot at times fell thick about us, testing the gallantry and steadiness of my people, which I consider of standard proof for any emergency.

I proceed to Washington to repair damages and refill my exhausted magazines. The Pawnee remains below in the meantime to supply my place in the blockade. Captain Rowan, of that ship, joined me last night, replenishing my exhausted stores, and most gallantly opened the fire this morning, having followed my lead in shore towards the batteries. His ship received numerous wounds, both below and aloft, inflicted by the enemy's shot, appearing, from her size, therefore, most easily hit, to be their favorite mark, and was herself often a sheet of flame, owing to the rapidity of her discharges. I have instructed Captain Rowan to report circumstances direct to the department.

The enemy set fire to the large passenger and freight depot on the end of the long pier as we were approaching, probably to remove it as an obstruction to their aim, but were not permitted to extinguish the flames during the whole five hours' cannonade; consequently nearly the whole pier was destroyed, only the charred piles remaining above the water to mark its former position.

My gun-carriage endures its continued test admirably. The pivoting arrangement of the after one gave out in the last hour of the action, when the gun was fought on its trucks, which had neither been removed nor in any manner interfered with in the construction. The recoil, however, became severely racking to the vessel; the gun was served slower and with less accuracy, and with greatly increased awkwardness, as well as fatigue to the men.

Though not assuming to be proper judge of my own invention, it is possible the officers and men, especially the guns' crews, are competent to speak after the severe cannonade in which we have been engaged, amounting altogether, in the two weeks we are commissioned, to ten hours, nine of it under fire returned upon us with more or less vigor and effect.

More than one hundred shots have fallen aboard and around us, any one of which would have struck a frigate. We had more than a thousand shots discharged at us within range, and we have ourselves fired upwards of three hundred shots and shells, with seventeen hundred pounds of powder. What damage we inflicted remains to be seen. That we have received none not easily repaired is truly remarkable.

The Anacostia and Reliance were not permitted to come under damaging fire, their support having been necessary to embolden those engaged by giving them confidence that if disabled in the machinery assistance was at hand to drag them out.

I am, sir, very respectfully, your obedient servant,

J. H. WARD,
Commander, Senior Officer on the Potomac.

Hon. Gideon Welles,
Secretary of the Navy.

Commander J. C. Rowan's report of the action at Acquia creek, June 2.

United States Steamer Pawnee,
Off Acquia creek, Va., June 2, 1861.

Sir: In obedience to an order received on the evening of the 31st ultimo, I proceeded immediately to join Captain Ward.

In passing down the river, I was informed by Lieutenant Wygot, of the steamer Reliance, that Captain Ward had gone ten miles below Acquia creek for the night. I continued down the river, passing the creek about 3 o'clock a. m. of the 1st of June. At 6 o'clock I joined Commander Ward. At 9 I stood for Acquia creek, in company with the Freeborn, for the purpose of attacking the batteries. We arrived off the creek at 11 o'clock, and at half-past 11 we ran in, the Freeborn leading, being of a lighter draught than the Pawnee, while this ship kept just outside on her starboard quarter to avoid grounding.

As we ranged up, the enemy set fire to the buildings on the end of the railroad wharf, and then opened his fire, which was promptly returned by us.

Finding my 15″ shell fell short, with all the elevation the ports admitted of, I ranged ahead of the Freeborn, and edged in as near as I could, feeling the way with the lead till I got within range of the forts with the 15″ shell, when we opened a heavy fire. I held this position as long as possible, when the ship fell off against our exertions to keep her steady, and became necessary to round out into the river, and approach a second time on the same tack. Having got the ship nearer than the first position, and as near as was safe, with but two feet of water to spare, and to the northward and westward of the Freeborn, we opened a terrible fire from five 9-inch guns. The batteries were twice silenced under the weight of our fire, but resumed again when our fire had ceased. The houses near the fort were destroyed, and the southern end of the bridge set on fire by the shells.

The wind being from the southward, the bridge was destroyed. The enemy's fire was almost exclusively directed at this ship, his rifled shot passing constantly over and around us. This ship was struck nine times during the bombardment, four of the shot in the hull; one of them, passing through the bulwarks, tore up the deck, and was glanced overboard by one of the iron straps. Of the shots that hit the ship above the hull, one passed through the main topsail yard; another shattered the mizzen masthead and topmast, and another passed through the smoke-stack.

The cool and gallant bearing of the officers and crew excited my warmest admiration. Every man of the divisions performed his duties coolly and promptly and intelligently, showing the ship in a high state of training to attain this end. I have been ably seconded by the divisional officers, Lieutenant Chaplin and Master Blue; but, above all, by my able executive officer, Lieutenant R. B. Lowry, whose fine bearing on the occasion was everything I could wish.

I am happy to inform you that I have no casualties to report. The only scratch was one shot I received on the face from a small splinter.

At 4½ p. m., having expended all my 10″ and 15″ shell, and the thirty-eight rounds of ammunition for the rifled cannon, and one hundred and fifty-five hollow shot, I hauled off out of range.

I have the honor to be, very respectfully, your obedient servant,

S. C. ROWAN, *Commander.*

Hon. Gideon Welles,
Secretary of the Navy.

Captain John Faunce's report of the action at Pig's Point, June 5.

UNITED STATES STEAMER HARRIET LANE,
Hampton Roads, June 5, 1861.

SIR: In obedience to orders from General Butler to make "a reconnoissance of Pig Point and vicinity," &c., I this morning at 4.50 got underway with my ship from off Newport News, and stood towards Craney island, steaming close in and along the shore. When off Pig's Point I observed, near the beach, a number of men, apparently engaged in transporting guns by means of ox teams and wheel carriages, while others were seen near the embrasures of the battery with the secession flag flying over them. At 8.30 a. m. approached as close to the battery as the flats would allow, a distance of about eighteen hundred yards, and opened fire, which was promptly returned by the rebels from, I judge, seven guns, four of which were either forty-two or thirty-two pounders, and the others appeared to be twenty-four-pound howitzers. Two of the shot took effect on the vessel—one passing through the plank-sheer, forward of the fore rigging, on port side, and out through the starboard bulwarks; the other, through the fore rigging, grazing the foremast. Several of their heavy shot passed over the vessel and struck some distance beyond. The shell from their howitzers all fell short. Thirty rounds of shot and shell were thrown by us, nearly all of which fell short; some few, however, were observed to strike within the embrasures. The rebels fired about fifty shot and shell.

Having accomplished my object of drawing the fire of the enemy, and thereby discovering the strength of their battery, and finding the range of my guns less than theirs, after an engagement of forty-five minutes I drew off out of range.

From the enclosed report of the surgeon you will perceive that five of our men were wounded. It affords me much pleasure to bear testimony to the gallant conduct of the officers and men under my command.

Respectfully submitted.

JOHN FAUNCE, *Captain.*

Flag-Officer G. J. PENDERGRAST,
Commanding West India Squadron, flag-ship Cumberland,
Off Fortress Monroe, Virginia.

Lieutenant E. G. Parrott's report of the capture of privateer Savannah, June 5.

UNITED STATES BRIG PERRY,
At sea, June 5, 1861.

SIR: I have the honor to report that, on the 3d instant, the privateer schooner Savannah, of Charleston, South Carolina, Captain T. H. Baker, commissioned by Jefferson Davis, "president of the Confederate States of America," was captured by this vessel about 60 miles east of Charleston, South Carolina.

The following are the particulars of the capture: She was discovered apparently following a brig, and considering her movements suspicious we gave her chase, and getting nearer discovered that she carried a pivot-gun. We showed our colors, which, some time after, she answered by hoisting a flag for a moment and hauling it down again too soon for us to make it out. We afterwards fired a gun ahead of her, but she showed no colors. At 7.50 p. m., it being quite dark, and the brig, which had been seen near the schooner, out of sight, we were within range, and opened fire on the schooner, which she returned, several of her shots passing over us. At 8.10 she ceased firing, and we lost sight of her for a moment; it proved that she had lowered her sails to show her submission.

Wore around and passed near her without firing, asking if she surrendered, but could not understand her answer; wore again, and on passing her were answered that she had surrendered. A prize crew was sent on board with orders to follow us, and her crew were transferred to this vessel.

She had left Charleston on the 2d instant on her first cruise. We found on board of her the master of the brig Joseph, of Rockland, Maine, which was the vessel seen near her, and which she had captured on the morning of the 3d instant. As the smoke from the guns added to the difficulty of keeping the vessel in view, we fired slowly and expended but a few shot upon her. Two of our shots passed through her sails and one between them and the hull.

The officers and crew seconded with great zeal my efforts to prevent the escape of the privateer. She awaits your orders.

I am, very respectfully, your obedient servant,

E. G. PARROTT,
Lieutenant Commanding.

Flag-Officer Silas H. Stringham,
United States Steamer Minnesota.

Commander J. C. Rowan's report of the action and death of Commander Ward at Matthias Point, June 27.

United States Steamer Pawnee,
Potomac river, June 27, 1861.

Sir: About sundown the evening of the 26th instant, while at anchor off Acquia creek, I received an order from Commander Ward (a copy of which is herewith enclosed) to send him two boats armed and equipped, in command of Lieutenant Chaplin. This order was immediately complied with in all its details, and the party left the ship in tow of the Resolute at 9 o'clock a. m. To-day, about noon, the Resolute returned, with a request from Captain Ward that I should send her back if I had no more important service for her. I immediately despatched the Reliance to Captain Ward, knowing the danger to which our people would be exposed if he contemplated a landing at Matthias Point, as I feared was his intention, judging from the nature of the order he gave me, to furnish him with such equipments as were necessary to cut down the trees on the point and burn them.

At 9 o'clock this morning the Freeborn and Reliance came up, having been repulsed by the rebels at Matthias Point, in which Lieutenant Chaplin and his command escaped utter destruction by a miracle.

It becomes my painful duty to announce to the department the death of Commander J. H. Ward, of the Freeborn. He was shot in the abdomen while in the act of sighting his bow gun.

I beg leave to call the attention of the department to the gallantry, coolness, and presence of mind of Lieutenant Chaplin, of the Pawnee, commanding the party on shore. He remained steady and cool amongst a perfect hail of musketry from hundreds of men, while he collected his own people and made good his retreat without leaving the enemy a trophy beyond a few sand-bags and some axes, and, so far as I can ascertain, the muskets of the wounded men. The last man left the shore with him, and, not being able to swim to the boat with his musket, Lieutenant Chaplin took him on his shoulders, musket and all, and safely reached the boat without a scratch, save a musket hole through the top of his cap.

In consequence of the want of ordinary comforts in the Freeborn for wounded men, I brought the two wounded men belonging to that vessel with those two of this ship, with the remains of the late Commander J. H. Ward, to the navy yard, Washington, where I now await orders.

I must also call the attention of the department to the bravery of John Williams, captain maintop, of the Pawnee, who told his men, while lying off in the boat, that every man must die on his thwart sooner than leave a man behind; and when the flag-staff of his boat was shot away, and the ensign fell, he (although suffering from a gunshot wound in the thigh) seized it in his hand and bravely waved it over his head.

A copy of the surgeon's report of casualties is herewith enclosed. The wounded have been removed to the hospital. I also enclose copies of orders addressed to Lieutenant Lowry.

Lieutenant Chaplin's report of the affair is not yet ready. When it is presented, I shall forward a copy for the information of the department.

I have the honor to be, very respectfully, your obedient servant,

S. C. ROWAN,
Commander and Senior Officer of the Potomac.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

UNITED STATES STEAM-SLOOP PAWNEE,
Potomac river, June 27, 1861.

SIR: I have to report the following casualties resulting from the action at Matthias Point this afternoon.

Killed, 1.

1. Commander J. H. Ward, commanding flotilla, gunshot wound of abdomen, almost immediately fatal.

Wounded dangerously, 2.

1. Wm. J. Best, ordinary seaman, belonging to the Pawnee, gunshot wound fracturing both bones of left leg; a second gunshot wound in soft part of right forearm; a third gunshot wound of right hand.
2. Wm. McChenny, landsman, belonging to Thomas Freeborn, gunshot wound of left thigh, fracturing the femur.

Wounded severely, 2.

1. John Williams, captain maintop, of Pawnee, gunshot wound of soft part of right thigh.
2. Geo. McKenny, yeoman, of Thomas Freeborn, gunshot wound of soft part of left thigh.

Respectfully yours,

F. M. GUNNELL,
Surgeon U. S. N.

Commander S. C. ROWAN,
Commanding Flotilla in the Potomac River.

UNITED STATES STEAMER PAWNEE,
Washington, D. C., June 28, 1861.

SIR: In obedience to your orders of the 26th instant, I took charge of the 1st and 3d cutters, with twenty-three men, and went to the Reliance, to be towed to Nanjemoy to report to Captain Ward, of the Freeborn. Not finding her that night, anchored at Nanjemoy, and yesterday morning proceeded to

Matthias Point, and discovered the Freeborn some four or five miles below. I immediately went to her and reported to Captain Ward for service.

The Freeborn then stood up for Matthias Point, and on arriving there threw shot, shell, and grape into the woods near where we were to land. About ten the landing was effected, my party under the charge of Commander Ward, who landed with me. I threw my men out as skirmishers, and, on getting about three hundred yards from the boats, discovered the enemy's pickets, who fired and retreated. My men followed them for a short distance and fired on them. I then discovered the enemy coming towards me over the brow of a hill, and judged there were some four or five hundred men. I went back to Commander Ward and reported, when he ordered me to take to the boats and lay off while he went on board of his vessel and fired into the brush again. After some fifteen minutes firing, I was ordered to land again and throw up a breastwork of sand-bags. I sent out four men as pickets and commenced the work, and at five had nearly completed it, when the signal was made for me to return. I sent everything to the boats, and with seven or eight men covered the bags with limbs, that the enemy might not distinguish it from the dense thicket near, and was about leaving, when the enemy opened on us with muskets at a distance of two hundred and fifty yards, and for some reason the Freeborn did not open on the place with her heavy guns to cover my retreat. I sent all my men in the boats, and stayed until I had counted and found they were all safe. By this time the boats had drifted some distance out, and, rather than bring the men any nearer, swam to the 3d cutter, and pulled off to the Freeborn. My boat was riddled with shot, the flag-staff shot away, and nineteen holes through the flag.

I am sorry to report that two of my men were injured—John Williams, captain maintop, musket ball in thigh; William J. Best, ordinary seaman, wounded in four places—the hand, the arm, the leg, and body.

I cannot speak in too high terms of the gallantry of my men, and particular of John Williams; though wounded, he retained charge of his boat, and when the staff was shot away held the stump in his hand with the flag till we got alongside the Freeborn, where I learned of the injury to Commander Ward, and also to several of his men, Commander Ward not being able to give any orders, and, with the advice of the surgeon, started for the Pawnee for medical aid, where I arrived at 9 last evening.

Very respectfully, your obedient servant,

J. C. CHAPLIN,
Lieutenant United States Navy.

Commander S. C. Rowan,
United States Navy.

Major John G. Reynolds's report of participation of battalion of marine corps in battle at Bull Run.

Marine Barracks, Headquarters,
Washington, July 24, 1861.

Colonel: I have the honor to report the movements and operations of the battalion of marines under my command detailed to co-operate with the army.

The battalion left the barracks at headquarters in time to reach the Virginia end of the Potomac "Long Bridge" at 3 p. m. July 16, and proceeded up the Columbia turnpike until an officer purporting to be assistant adjutant general of Colonel Porter's brigade came up and assigned us position in the line of march, which placed us immediately in the rear of Captain Griffin's battery of flying artillery. This assignment was continued up to the period of the battle at Bull Run

On reaching the field, and for some hours previously, the battery's accelerated march was such as to keep my command, more or less, in double-quick time; consequently the men became fatigued or exhaused in strength. Being obliged at this period to halt in order to afford those in the rear an opportunity of closing up and taking their proper place in the line, the battery was lost to protection from the force under my command. This I stated to Colonel Porter, who was ever present watching the events of the day. The position of the battery was pointed out, and I was directed to afford the necessary support. In taking the position the battalion was exposed to a galling fire. Whilst holding it, General McDowell ordered the battalion to cover or support the 14th New York regiment, which was about to be engaged. The battalion, in consequence, took the position indicated by the general, but was unable to hold it, owing to the heavy fire which was opened upon them. They broke three several times, but as frequently formed and urged back to their position, when finally a general rout took place, in which the marines participated. No effort on the part of their officers could induce them to rally.

I am constrained to call your attention to the fact that, when taking into consideration that the command was composed entirely of recruits, not one being in service over three weeks, and many had hardly learned their facings, the officers likewise being but a short time in the service, their conduct was such as to elicit the highest commendation.

Of the three hundred and fifty officers and enlisted men under my command, there were but two staff officers, two captains, one first lieutenant, and nine non-commissioned officers and two musicians, who were experienced from length of service. The remainder were, of course, raw recruits, which being considered, I am happy to report the good conduct of officers and men. The officers, although but little experienced, were zealous in their efforts to carry out my orders.

In the death of Lieutenant Hitchcock the corps has been deprived of a valuable acquisition. On the field he was ever present and zealous. He sought and won the approbation of his commanding and brother officers.

Enclosed please find a return of the battalion, showing its present strength, with casualties, &c.

The abrupt and hasty retreat from the field of battle presents a deplorable deficiency in both arms and equipments.

The rout being of such a general character, the men of all arms commingled; the only alternative left was to hasten to the ground occupied by the brigade to which we were attached on the morning of the day of the battle. On my way thither I had the good fortune to fall in with General Meigs, whose consternation at the disastrous retreat was pictured upon his countenance. He was of the opinion the army should hasten to Arlington, fearing otherwise the enemy would follow up their successes and cut us off on the road. My men being weary and much exhausted, without blankets and other necessaries, I determined to strengthen such as should pass the wagons by hot coffee, and move on to headquarters at Washington city, where their wants could be supplied. But few came up, others continued on the Long Bridge, where, on my arrival, I found some seventy or more, who, at my urgent solicitation, were permitted to accompany me to the barracks.

In assuming the responsibility of the return to headquarters, I trust my course will meet the approbation of authority.

Blankets were thrown aside by my order on entering the field, which, from force of circumstances, we were unable afterwards to recover.

All of which is respectfully submitted.

I am, sir, very respectfully, your obedient servant,

JOHN GEORGE REYNOLDS,
Major, Commanding Battalion of Marines.

Colonel John Harris, *Commandant Marine Corps, Headquarters.*

Report of marine battalion, under command of Major John G. Reynolds, in the recent battle before Manassas, July 21, 1861.

	KILLED AND WOUNDED.												Remarks.
	Major.	Captain.	First lieutenant.	Second lieutenant.	N. C. staff.	First sergeant.	Second sergeant.	Corporals.	Drummers.	Fifer.	Privates.	Aggregate.	
Killed	..	..	..	1	..	..	..	..	..	..	8	9	Second Lieut. Hitchcock, Privates Clegg, Harris, Hughes, Lane, Moore, Perkins, Riley, Ward.
Wounded, absent	..	..	..	..	..	..	..	1	..	..	4	5	Corporal Steiner, Privates Stuart, Bowers, Slemons, Bradford.
Wounded, in hospital	1	..	..	1	..	..	..	..	..	..	12	14	Brevet Major Zeilin and Lieut. Hale, (in quarters;) Privates Dodge, Etchell, Tiger, Lang, McKinney, McCann, Wheelan, McGuigan, Howell, Rannohan, Cook, Potter.
Missing	..	..	..	..	..	..	..	..	..	..	16	16	Privates Barrett, Hunt, McChristae, Clark, McCoy, Lewis, Beans, Dempsey, Kressler, Dermott, Otto, Cannon, Stanly, Duncanson, Foley, and Wood.
Total strength	3	2	1	6	2	4	3	8	2	2	320	353	Major Slack, quartermaster, not in action.
Killed, wounded, missing, and sick	..	1	..	2	..	..	..	1	..	..	40	44	
Present fit for duty	3	1	1	4	2	4	3	7	2	2	280	309	

AUG. L. NICHOLSON, *Adjutant and Inspector.*
JOHN ROBINSON, *Sergeant Major.*
JOHN GEO. REYNOLDS, *Major, Commanding Battalion.*

Approved:
MARINE BARRACKS, *Washington, D. C., July* 23, 1861.

Flag-Officer Stringham's report of the destruction of ten vessels in Back river, Virginia, July 25.

UNITED STATES STEAMER MINNESOTA,
Hampton Roads, July 25, 1861.

SIR: I have the honor to report to the department that yesterday, in compliance with request from Major General Butler, by Lieutenant Crosby, I furnished him with five launches, all manned and equipped, (three from the Minnesota and two from the Roanoke,) which, with four boats from the fortress, also manned, started about noon on an expedition up Back river. They returned at 2 a. m. this morning, making report that they had destroyed ten vessels, schooners and sloops, by burning, and brought back with them a schooner heavily loaded with corn, provisions, and other articles. * * *

Respectfully, your obedient servant,

S. H. STRINGHAM,
Flag-Officer, Commanding Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy.

Commander James Alden's report of the bombardment of Galveston, August 10.

UNITED STATES STEAMER SOUTH CAROLINA,
Off Galveston, August 10, 1861.

SIR: I have the honor herewith to submit a report of a short but lively affair which took place on the 3d instant between this ship and two of the batteries located near to and back of the city of Galveston. The city is, as the accompanying sketch will show, entirely at our mercy, but I have never had any intention of troubling them, as I considered my duty was simply to blockade and stop the commerce of the port, as I frankly told their military commandant, Captain (now Colonel) Moore, who called upon me, shortly after our arrival, to inquire into the truth or falsity of a report, to wit: that I had threatened to bombard the town if my duty of blockading was interfered with by them in any way. I told the captain, in reply, that I seldom made threats under any circumstances; that I had not, nor should I upon so momentous a subject as this, presume to think what I should do, believing as I did, as far as the town was concerned, that they would gladly let us alone. But I was disappointed; for on the 3d instant, as one of our tenders was returning from a cruise to the southward, in charge of Mr. Rodney Baxter, acting master, she found herself early in the morning near two of the rebel batteries, which shortly opened their fire upon her, which she returned in the most gallant manner; and, after exchanging a few shots, came and reported the facts to me. The whole affair passed under my own observation, our anchorage being only three miles distant; and while I was made to realize that people could be so insane as to initiate hostilities with us when their town was so completely at our mercy, I was restrained from going in and engaging their batteries on the moment, believing that the whole affair might have been the result of misunderstanding or accident. I therefore waited all day for some explanation or disavowal on the part of the authorities, but none came. On the contrary, steam was gotten up on the General Rusk, a large sea steamer which has been preparing for sea for some time, and other demonstrations satisfied me that, so far from their volunteering any explanations, they were ready for us, and indeed wanted a brush. I therefore, at about 4 o'clock p. m. got under way, and after towing a prize, which we have a little to seaward, out of the reach of the steamer General Rusk, if she should come out while we were engaged, I stood down towards the batteries. Our moving was the signal for the General Rusk to get under way, and as she approached the bar I turned to give her chase; but she was as quick in that evolution as we were, and ran back with all speed. She attempted it the second time, but after that was content to go in and watch the result, out of harm's way.

Being satisfied that there was no more diversion in that direction, I resumed my original course, and stood towards the batteries; but we were no sooner in range than they opened their fire upon us, when the action became general. After exchanging some dozen or fifteen shots with them, I withdrew, satisfied that throughout the whole affair we were doing more injury to the city or perhaps unoffending citizens than to the batteries or those who sought the collision.

The nearest point that we could get to the shore, our ship drawing twelve feet, was about one mile, where we found thirteen and a half feet of water. Their firing was so extremely bad, considering the large object that this ship, almost entirely light, presents, that not a shot touched us. Ours, I regret to say, so far as the poor Portuguese and other unoffending sufferers go, was more effective. The only information I have from the city on the subject is in a very insulting letter, gotten up in the shape of a protest, remonstrating against my acts of the 3d instant, and signed by all the foreign consuls at Galveston, a copy of which is herewith sent, together with my answer. I should add that some of the crew of our tender had occasion a few days ago to land down the coast in pursuit of fresh provisions, when we were informed that a captain of a company or captain of a gun and others in one of the batteries were killed in the affair of the 3d instant; also that one of our shells went into the middle of the town, but from some cause or other did not burst.

Respectfully, I am your obedient servant,

JAMES ALDEN,
Commander.

Flag-Officer Wm. Mervine,
Commanding Gulf Blockading Squadron.

GALVESTON, *August* 5, 1861.

SIR: The undersigned, consuls and vice-consuls at Galveston, consider it their duty to enter their solemn protest against your bombardment of this city on the evening of the 3d instant, without having given any notice so that the women and children might have been removed, and also against your firing a shell in the midst of a large crowd of unarmed citizens, amongst whom were many women and children, causing thereby the death of an unoffending Portuguese, and wounding boys and peacefully disposed persons, as acts of inhumanity, unrecognized in modern warfare, and meriting the condemnation of Christian and civilized nations.

ARTHUR LYNN, *British Consul.*
JAS. FREDERICK,
Hanoverian and Oldenburg Consul, and in the absence of
J. W. Jackarsh, Acting Consul for Prussia and Hamburg.
J. C. KUHN,
Swiss Consul, Vice-Consul for Russia.
J. BARKEMIER,
Deputy Consul for Bremen, Saxony, Belgium, Holland,
and Vice-Consul for Austria.
F. GONZALES, *Mexican Consul.*
F. H. ZETIL, *Consul for Nassau.*
B. THERON,
French Agent, Consul and Vice-Consul for Spain.
FRED'CK WAGNER,
Consul pro tem. for Electoral Hesse.

To Captain JAMES ALDEN,
Commanding U. S. Steamer South Carolina.

UNITED STATES STEAMER SOUTH CAROLINA,
Blockading Squadron off Galveston, August 6, 1861.

GENTLEMEN: I have just received by the hand of Captain Davis your communication of yesterday's date, in which you enter your "solemn protest against your (my) bombardment of this city on the evening of the 3d instant, without having given any notice, so that the women and children might have been removed," and characterizing my proceedings in that connexion as "acts of inhumanity, unrecognized in modern warfare, and meriting the condemnation of Christian and civilized nations.'

My first impulse on reading your extraordinary communication, so full of statements at variance with my own knowledge of the facts, was to return it to you and ask you in all conscience to examine the matter before indorsing such sweeping accusations; but as the facts were all patent, and you might inform yourselves of them if you would, I decided to send you the verbal answer I did, and which may be to some of you quite sufficient; but as it is likely there are others who have signed this extraordinary document who know little or nothing about the matter, and as you all represent countries with which we are at peace and amity, it may perhaps be my duty to state to you the facts of the case. They are simply as follows: Early on the morning of the 3d instant our gunboat found herself near the shore, and shortly afterwards (as the result proved) within range of some of the batteries. The first warning she got was a shot—not a blank cartridge, but a shot—not fired ahead or astern of her, to warn her off, *but straight at her*. She, of course, fired back, some shots were exchanged, when she came and reported the facts to me. This was in the morning. I waited all day until nearly four in the afternoon, hoping some explanation, some disavowal of the act would be sent off. None came. I then got underway and stood in for the batteries, which, you are aware, are built in the rear of and close to the town, merely to see if they could, while they knew the town must be injured by our return fire, repeat such an act of aggression by commencing upon us. We were no sooner within range of their guns, however, than they opened their fire, when we, after exchanging a few shots with them, retired, preferring that it should appear we were beaten off, rather than continue a contest where (as the result shows) so many unoffending citizens must necessarily suffer. If that act merits the "condemnation of Christian and civilized nations," pray tell me, gentlemen, tell me, what you would have done were you in my place? Again: you protest against my firing a shell into the midst of a "large crowd of unarmed citizens, amongst whom were many women and children." Good God, gentlemen, do you think such an act could have been deliberate or premeditated? Besides, I would ask, was it not the duty of the military commandant, who, by his act in the morning, had invited me to the contest, to see that such were out of the way? Did he not have all day to prepare? It was evident to my mind that they knew we were coming, or why was that demonstration on the steamer General Rusk? In conclusion, let me add that no one can regret the injury done to unoffending individuals more than I do; still I find no complaint of my acts of the 3d instant coming from the military or civil authorities of Galveston; and with due deference to your consideration and humanity, I must respectfully remark that it is the first time that I have ever heard that the women and children or unarmed citizens of one of our towns were under the protection of foreign consuls.

Respectfully,

JAMES ALDEN,
Commander, U. S. N., Commanding.

ARTHUR LYNN, Esq., *British Consul;* J. C. KUHN, Esq., *Swiss Consul;* F. H. ZETIL, Esq., *Consul for Nassau, and others.*

Acting Master William Budd's report of the action at Matthias Point, August 15.

UNITED STATES STEAMER YANKEE,
Off Acquia creek, August 15, 1861.

SIR: This morning at about 11 o'clock I despatched the steamers Resolute and Reliance to make a reconnoissance of Matthias Point. At about 3 p. m. the Resolute, Acting Master Budd, returned to this anchorage, and made this report, which is herewith enclosed.

I have ordered Mr. Budd to proceed with his dead and wounded to the navy yard.

Very respectfully, your obedient servant,

THOS. T. CRAVEN,
Commander, Commanding Potomac Flotilla.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington.

UNITED STATES STEAMER RESOLUTE, *August* 16, 1861.

SIR: In obedience to your order, I proceeded down the river to make an examination of Matthias Point and the immediate vicinity. Nothing indicating a hostile movement could be discovered at or about the point. Hearing that a schooner was ashore at Lower Cedar Point, I thought it advisable to go down to her and get her off if possible. A boat was seen on the Virginia shore, a short distance this side of Persimmon Point, and I despatched an officer and five men in a boat to capture her. They had just reached her and were in the act of making fast when a volley of musketry was fired from the adjoining bushes, not more than five or six yards distant, instantly killing three of the boat's crew and wounding another,

I immediately opened fire, throwing shell into the cover that sheltered the enemy. After four or five rounds they were driven out, running in parties of three and four in different directions, some of them running into some dwelling-houses on the right. The survivors of the boat's crew succeeded in getting her off from the shore while I was firing. The Reliance coming up at this moment, commenced firing shell at the flying enemy, and also sent a boat to assist in getting my boat off. Nothing was left behind. My boat is completely riddled, particularly in the after part. The attacking party numbered about thirty. Lieutenant Mygatt remained with his vessel in the vicinity until I could report to you.

The following persons were killed and wounded: Killed—John Fuller, master's mate; George Seymour, seaman; Thomas Tully, seaman. Wounded—Ernest Walton, seaman.

The men that escaped state that the boat on shore had two casks in her; we were unable to secure her.

Very respectfully,

WM. BUDD,
Commanding Resolute.

Captain CRAVEN,
Commanding Potomac Flotilla.

Flag-Officer Silas H. Stringham's report of action at Hatteras inlet, August 30.

OFF HATTERAS INLET,
United States Flag-Ship Minnesota, August 30, 1861.

SIR: I have the honor to inform you that we have been eminently successful in our expedition. All that could be wished by the most hopeful has been accomplished.

This morning we are taking on board the Minnesota officers and men, six hundred and fifteen, captured with the forts at Hatteras inlet, which surrendered yesterday after bombardment from the fleet of parts of two days.

I shall forward a full account immediately on my arrival at New York, whither I have concluded to land them, as requested in your communication in reference to prisoners coming into possession of the navy. After landing them I shall return to Hampton Roads.

Respectfully, your obedient servant,

S. H. STRINGHAM,
Flag-Officer Atlantic Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy.

No. 134.]
Off Hatteras Inlet,
United States Ship Minnesota, August 30, 1861.

Sir: I have the honor to enclose the articles of capitulation agreed upon at the surrender of the forts at the inlet of Hatteras, North Carolina.

If the department have any orders, I should be pleased to receive them at New York.

Respectfully, your obedient servant,
S. H. STRINGHAM,
Flag-Officer Atlantic Blockading Squadron.

Hon. G. Welles,
Secretary of the Navy.

Off Hatteras Inlet,
United States Flag-Ship Minnesota, August 29, A. D. 1861.

Articles of capitulation between Flag-Officers Stringham, commanding the "Atlantic Blockading Squadron," and Benjamin F. Butler, United States army, commanding on behalf of the United States government, and Samuel Barron, commanding the naval force for the defence of North Carolina and Virginia, and Colonel Martin, commanding the forces, and Major Andrews, commanding the same forces, at Fort Hatteras.

It is stipulated and agreed between the contracting parties that the forces under the command of the said Barron, Martin, and Andrews, and all munitions of war, arms, men, and property, under the command of said Barron, Martin, and Andrews, be unconditionally surrendered to the government of the United States in terms of full capitulation.

And it is stipulated and agreed by the contracting parties on the part of the United States government that the officers and men shall receive the treatment due to prisoners of war.

In witness whereof, we, the said Stringham and Butler, on behalf of the United States, and the said Barron, Martin, and Andrews, representing the forces at Hatteras inlet, hereunto interchangeably set our hands this twenty-ninth day of August, A. D. 1861, and of the independence of the United States the eighty-fifth year.

S. H. STRINGHAM,
Flag-Officer Atlantic Blockading Squadron.
BENJ. F. RUTLER,
Major General United States Army, commanding.
S. BARRON,
Flag-Officer Confederate States Navy,
Commanding Naval Defences South and North Carolina.
WM. F. MARTIN,
Colonel 7th Regiment Infantry North Carolina Volunteers.
W. S. G. ANDREWS,
Major, commanding Forts Hatteras and Clark.

No. 135.] UNITED STATES FLAG-SHIP MINNESOTA,
New York Harbor, September 2, 1861.

SIR: I have the honor to inform the department that I left Hampton Roads August 26, 1861, the earliest moment the weather would permit, with the flag-ship Minnesota, Captain G. I. Van Brunt, having in company the United States steamers Wabash, Captain Samuel Mercer; Monticello, Commander John P. Gillis; Pawnee, Commander S. C. Rowan; Harriet Lane, Captain John Faunce; United States chartered steamers Adelaide, Commander Henry S. Stellwagen; George Peabody, Lieutenant R. R. Lowry; and tug Fanny, Lieutenant Pierce Crosby, all of United States navy; the transports Adelaide and George Peabody towing schooners with surf boats on them, and the Monticello and Pawnee surf boats only.

Major General Butler took passage in this ship, the transports having parts of two regiments and one company of regulars under the command of Colonels Max Weber and ——— Hawkins, and Captain Larnard, U. S. A.

At — p. m. passed Cape Henry, and discharged pilot. Light airs from southward and eastward with a ground swell.

Tuesday, 27th, light airs from the southward and eastward with a heavy ground swell. At 9.30 a. m., Cape Hatteras light in sight, rounded the shoals off Hatteras, and at 5 p. m. anchored at the southward of the cape, the squadron in company. Hoisted out the surf boats, and made preparations for landing troops in the morning.

Wednesday, 28th, southerly winds, heavy surf rolling on the beach. Calling the men at 4 a. m., gave them an early breakfast. Put 12-pound rifle gun and 12-pound howitzer in one of the surf boats, and sent it to the Adelaide.

Major General Butler and the marines of the Minnesota, the latter under command of Captain Wm. L. Shuttleworth, United States marine corps, are sent to the Harriet Lane. At 6.40 a. m. made signal to "disembark troops," and order Pawnee, Monticello, and Harriet Lane to cover and assist in landing them. At 8.45 the Wabash, with the Cumberland, Captain John Mouston in tow, led in towards Fort Clark, the Minnesota following. At the same time the Monticello, Pawnee, Harriet Lane, and the transports stood in towards a wreck about two miles east of the fort, and commenced landing the troops at 11.30. At 10 o'clock the Wabash and Cumberland opened fire on Fort Clark. The fire was returned by the fort. At 10.10 the Minnesota passed inside the Wabash and Cumberland and opened fire. These vessels continued passing and repassing the fort until it was abandoned by the enemy. The fire was returned by the fort, the shot falling short or passing over the ships.

At 10 o'clock the Susquehanna, Captain I. Chauncey, made her number, and was directed to engage the battery.

At 12.25 p. m. flags down on Forts Clark and Hatteras, the first apparently abandoned by the enemy, who were running towards Fort Hatteras, and leaving the shore in boats.

At 12.30 p. m. made signal to "cease firing."

At 1.10 p. m. our troops moving up the beach.

At 2 p. m. American flag displayed from Fort Clark by our pickets who were in possession.

At 4 o'clock Monticello, Captain Gillis, was ordered to feel his way into the inlet, and take possession, but he had advanced only a short distance when fire was opened upon him from Fort Hatteras, towards which a tug steamer towing a schooner filled with troops was seen coming from the southward for its relief

General signal, "engage batteries," was immediately made. The Minnesota, Susquehanna, and Pawnee opened fire at once, the Wabash having towed the Cumberland into the offing.

The Monticello, from her advanced position, was much exposed, and was struck several times, but finally hauled off without serious damage.

At 6.15 signal to "cease firing" was made, and the squadron hauled off for the night, with exception of Monticello, Pawnee, and Harriet Lane, they being ordered to go in shore and protect the troops during the night. Wind from south, and weather looking squally.

Thursday, 29th, southwest winds and pleasant weather; sea more moderate.

At 5.30 a. m. made general signal, "prepare to engage batteries and follow my motions;" weighed anchor and stood in shore; discovered the main body of our troops near where they landed.

At 7.15 instructed commanders of Monticello and Pawnee to attend to troops on the beach, and embark them if they wished to come off; if they did not, to provision them.

At 7.30 made general signal, "attack batteries, but be careful not to fire near the battery in our possession."

At 8 a. m., Susquehanna leading, opened fire on Fort Hatteras, the Wabash following; Minnesota, passing inside of the Wabash, anchored between her and the Susquehanna, and opened fire at 8.15. At 9 the Cumberland came in under sail, handled handsomely and anchored in excellent position on the starboard bow of the Minnesota, and commenced firing with effect.

Observing our shot to fall short some, made signal, "cease firing;" "use 15 fuses only, with 10-inch guns."

At 9.35 recommenced firing, our shot now falling in and around the battery with great effect.

At 9.45 the Harriet Lane came up and joined in the fire with rifled guns.

At 11.10 a. m. a white flag was displayed from the fort; made signal, "cease firing."

The enemy returned our fire throughout the engagement, but with no effect, their shot falling short.

Almost at the commencement of the engagement they hauled down their colors, and showed none until the white flag was displayed.

When the flag was hauled down it was thought by many they had surrendered; but as the same thing had been done yesterday, and they afterwards fired on the Monticello, no attention was paid to it; they soon recommenced firing, and continued so to do until they surrendered, without, as I have stated above, any colors flying.

Upon the appearance of the white flag our troops marched towards the fort, and, as if by preconcerted signal, but without any order or request, the officers and crews of the squadron gave three hearty cheers for our success.

At 11.30 Major General Butler, in the tug Fanny, went into the inlet to the rear of the forts to take possession.

Three steamers and several schooners with troops on board were in the sound watching the engagement; they all left as the Fanny approached. She fired at them with her rifled piece.

I directed the Harriet Lane to go in the inlet, giving her my best pilot. She grounded, but soon got off.

The chartered steamers, with the remaining troops on board, went into the inlet. The Harriet Lane, in following these steamers, grounded a second time, and had been unable, at the time of my departure from the inlet, (3 p. m. of the 30th,) to get off. The weather being fine and sea smooth, and having the assistance of the Susquehanna, Monticello, and Pawnee, under my directions to render every aid, I am in hopes that she has, ere this, succeeded in getting afloat again.

In this connexion I may very appropriately apprise the department and congratulate myself that I have no accident to record to a single officer or man of the navy, army, or marines.

At about 2.30 p. m. of the 29th Major General Butler came to this ship, bringing with him three senior officers, viz: Samuel Barron, flag-officer Confederate States navy, commanding naval defences of Virginia and North Carolina; William F. Martin, colonel of 7th regiment of infantry of North Carolina volunteers; W. S. G. Andrews, major commanding Forts Hatteras and Clark, informing me the enemy had surrendered under the stipulations contained in the original agreement between myself and Major General Butler on behalf of the United States government and the officers above named on the part of the enemy; which agreement I had the honor of enclosing with my despatch, No. 134, under date of August 30, off Hatteras inlet.

I have the honor to enclose a copy of report of Commander J. P. Gillis, of the Monticello, and I here take the opportunity of mentioning with great pleasure the name of Commander A. Ludlow Case, my fleet captain, for very prompt and efficient services during all the time we have been occupied in the expedition so successfully terminated.

In conlusion, I beg leave to state to the department and to my government that I have naught but praise to accord to officers, seamen and marines, and officers and soldiers of the army who were present, for gallantry and cheerful devotion to duty and to their government, the United States of America, which they all cheerfully and heartily serve.

That it may be perpetual is their wish, and the wish of

Respectfully, your obedient servant,

S. H. STRINGHAM,
Flag-Officer, Atlantic Blockading Squadron.

Hon. GIDEON WELLS,
Secretary of the Navy.

UNITED STATES STEAMER MONTICELLO,
Off Hatteras inlet, August 30, 1861.

SIR: In feeling our way through the entrance, endeavoring to reach with this vessel the harbor, we grounded frequently, touching the bow and stern; finding the water shoaling, and being attacked briskly by the battery on shore, of fourteeen guns, having no room to work ship and likely to get hard aground, we returned the fire and opened rapidly on the fort, officers and men doing their duty with courage and coolness. We succeeded in turning and getting the vessel into deeper water as the battery on shore ceased firing.

The following is a memorandum of damage received from the confederate battery.

One shot amidships on the port side, which has probably lodged in a knee, as we can see no evidence inside. Another shot amidships, on the port side, carried away boat's davit, and drove the fragments through the armory, pantry and galley; another shot cut away a part of the topsail yard and sail; another shot in the starboard bow at water line; this shot is lodged in a knee in the shell locker forward. One shot amidships, on starboard side, passed through the berth deck, through paint locker, across fire-room, and lodged in the port coal bunker, after ripping up the deck; the whale boat's bottom shot away and gig injured.

I hasten to give you, sir, this account of repairs necessary; having been almost constantly employed, have not made out any formal report. We expended between ninety and one hundred shell and three shrapnell.

Congratulating you, sir, on the successful result of the attack on the batteries of the confederates, and the good cause in which we are engaged, I will conclude with: The Union now, the Union ever and ever.

Very respectfully, your obedient servant,

JOHN P. GILLIS,
Commander, United States Navy.

Flag-Officer S. H. STRINGHAM, U. S. N.,
Commanding Blockading Squadron off Hatteras Inlet, N. C.

UNITED STATES CHARTERED STEAMER ADELAIDE,
August 31, 1861.

SIR: I have to report that the expedition to Cape Hatteras inlet has resulted in a signal victory over the rebels; the capture of two forts, 25 cannon, 1,000 stands of arms, 715 prisoners, amongst whom are Captain Samuel Barron, Lieutenant Sharp, and Dr. Wyatt M. Brown, all late of the United States navy; and Major Andrews and other officers, late of the United States army. The amount of loss on their side is not exactly known; five are ascertained to have been buried, and 11 wounded are on board this vessel. Many were carried away, Lieutenant Mindaugh, late of the United States navy, among the number, with the loss of an arm. We met with no casualty of any consequence whatever. The surrender was unconditional. For full particulars I beg to refer to the reports of Flag-Officer Silas H. Stringham and Major General B. F. Butler.

Although the Adelaide and G. Peabody were chartered for other especial service, yet to further important operations, I consented to take the troops on board from Newport News and Fortress Monroe—900 men with arms, provisions, and munitions of war—and landed part of them, about 300, amidst a heavy surf, until the boats filled and became unmanageable. The men-of-war hauled in and commenced a heavy cannonade at 10.15 a. m., on the 28th, and kept it up with intervals all day, recommencing on the 29th at 8.15, with increased effect. The enemy's reinforcements endeavoring to land 1,000 or 1,500 men, were driven back, and at 11.30 they displayed a flag of truce, but were forced to surrender at discretion.

On the appearance of the white flag I steamed into the inlet and laid behind the fort ready to throw the remaining troops ashore, either in case of recommencement or cessation of hostilities. The George Peabody, Lieutenant Lowry, did the same.

At the surrender we officiated in the ceremonies; after which the prisoners were brought to this vessel, and next day, the 30th instant, placed them on board the Minnesota, which vessel sailed at 2.30 p. m. for New York, and we left for Annapolis with Major General Butler, United States army, and the wounded prisoners.

I hope my endeavors in the case may meet your full approbation, and beg to recommend to your consideration the conduct of Lieutenant Commanding R. B. Lowry, associated with me on this work, and placed in charge of the George Peabody; of Dr. William H. King, United States navy, who volunteered for the expedition. I have also received valuable assistance from my corps of pilots, and from Dr. T. C. Stellwagen and James Forsyth, who acted in the place of junior officers.

I am, very respectfully, your obedient servant,

H. S. STELLWAGEN,
Commander.

UNITED STATES CHARTERED STEAMER ADELAIDE,
August 31, 1861.

SIR: In obedience to your order, I have the honor herewith to furnish you a complete list of the wounded prisoners taken at the surrender of Fort Hatteras.

The whole number is thirteen, and eleven of these were transferred to this steamer by the order of Flag-Officer Silas H. Stringham. The two remaining men were found to be too seriously wounded to permit of being moved, and were consequently left in the fort in the charge of a medical officer. From the information which I have received from a credible source, I have formed the opinion that many of the wounded, and perhaps all the killed, were sent on board the rebel steamers in the sound prior to the capitulation. Only two killed were found, and they were discovered in the out-houses of Fort Clark the day of the evacuation of that work.

I understand from Surgeon Wyatt M. Brown, formerly of the United States navy, and at present holding a commission in the army of the Confederate States, and in charge of the medical department of Forts Hatteras and Clark, that ex-Lieutenant Mindaugh, of the United States navy, was very badly injured; a fragment of shell striking his forearm, and making a compound fracture of both bones. This gentleman escaped from Hatteras prior to the surrender in the privateer Winslow.

1. Willoughby Davis, aged 22, native of North Carolina, "Jonesboro' Guards;" lacerated flesh wound of instep. Not serious.

2. William E. Clark, aged 17, native of North Carolina, "Tar River Boys;" lacerated wound, 1½ inch deep, of external surface of upper part of lower third of right thigh. Doing well.

3. James A. Corey, aged 23, native of North Carolina, "Tar River Boys;" deeply lacerated wound, involving deltoid muscle left shoulder. Quite serious, although the joint is not believed to be implicated.

4. William G. Andrews, "Hamilton Guards;" lacerated wound, implicating tarsus and metatarsus left foot; continuous oozing of blood. *Serious.*

5. Mathias Sawyer, aged 23, native of North Carolina, "North Carolina Defenders;" contused wound of upper part of left breast and neck; expectorating blood. Not much constitutional disturbance.

6. Logan Metts, aged 18, native of North Carolina, "Lenoir Braves;" slight flesh wound of middle third left leg, external surface.

7. Wilson J. Forbes, aged 27, native of North Carolina, "Jonesboro' Guards;" severe lacerated wound, about 2½ inches long and 3 deep, upper part of upper third of thigh, posterior surface.

8. Henry Hines, aged 25, native of North Carolina, "Lenoir Braves;" severely lacerated wound of left nates.

9. Ashley Keele, aged 25, native of North Carolina, "Hamilton Guards;" lacerated wound, left nates.

10. John Wills, aged 18, native of North Carolina, "Tar River Boys;" penetrating wound produced by a fragment of shell, occupying posterior aspect of forearm, about 1½ inch from olicranon process to the outer side. Joint perhaps implicated.

11. McGilbert Rogerson, aged 21, native of North Carolina, "Roanoke Guards;" contusion of right foot. Considerable swelling no fracture.

12. Francis Mooring, aged 51, native of North Carolina, "Lenoir Braves;" right half of os frontis with a portion of anterior lobe of brain, carried away by a piece of shell. Extensive "hernia cerebri." *Mortal.*

13. John Mooring, aged 18, native of North Carlina, "Tar River Boys;" compound comminuted complicated fracture of left arm; compound fracture of left thigh. *Mortal.*

The above-named men were placed under my care, after the surrender of Fort Hatteras, on the afternoon of the 29th instant. The injuries were caused by fragments of shells during the bombardment of the fort, which not only lacerated, but in many, if not all, the cases burned the soft parts.

I am, very respectfully, your obedient servant,

WILLIAM M. KING,
Assistant Surgeon.

Commander HENRY S. STELLWAGEN, U. S. N.,
Commanding steamer Adelaide, on special service.

UNITED STATES STEAMER MONTICELLO,
Off Hatteras Inlet, N. C., August 31, 1861.

SIR: I have the honor to report to you that, in obedience to the order of Flag-Officer S. H. Stringham, the transport steamers, with troops on board, were conveyed safely to the position off this inlet indicated by him.

I communicated with the United States ship Cumberland; the Harriet Lane took her in tow. Boarded schooner Equator, from Nassau, with fruit for New York.

On the arrival of the frigates Minnesota and Wabash, (27th,) received further instructions from the flag-officer, and proceeded to carry them out. Stood in and made a reconnoissance of the shore, discovering two forts on north side of Hatteras Inlet, and a suitable place for landing troops on the beach about two and a half miles to the north.

On the 28th received the marines from the Minnesota and Wabash; also a lighter or scow with two howitzers, which we landed, and assisted in landing some of the other troops, about 300 in all, I believe.

The Minnesota, Wabash, and Cumberland took positions and commenced shelling the forts on the point, which promptly returned the fire, and the Harriet Lane, Pawnee, and Monticello covered our troops on shore with their shell. Wind freshening and surf increasing, could not land more troops. Steamed down along the beach, extending our firing to the forts, one of which ceased to fire, and hauled down the confederate flag. We were feeling our way in through the inlet, when signalled to come alongside of flag-ship; received a pilot for the inlet from flag-ship, and proceeded to attempt the passage, no rebel flag flying on shore; entered between the breakers, feeling our way carefully with the lead for the deepest water. The vessel struck heavily frequently. Continued on, in hopes of getting into deeper water, and be enabled to enter the sound; the large fort, of fifteen guns, still showing no colors, and our own troops in possession of the other, of five guns. As we turned the point or spithead, finding so little water that we would be compelled to turn and work the vessel out again, if possible, the large fort opened a brisk fire upon us, which we promptly returned with our pivot gun and port battery, (two 32-pounders abaft,) ship striking often as we backed and filled to turn her head seaward. By keeping the engine in motion we succeeded, with the aid of the swell, in getting out of the inlet, firing five-second shell rapidly and with precision at the battery. We were about fifteen minutes in this "*tight place*," during which time we fired thirty shell. The fort fired slow as we came out, and did not return our last three shot, owing, no doubt, to the promptness with which the flag-officer and the other vessels opened upon them for our relief.

We were struck by eight-inch shot and shell: once amidships, on port side, shot lodged in knee; another amidships, on port side, which carried away boat-davit, and drove the fragments of shell and davit through the armory, pantry, and galley; another shot carried away part of fore-topsail yard and sail on the port yard arm; another on the starboard bow. This shot lodged in the knee, at forward end of shell-locker. Another shot amidships, on the starboard side, passed through, across berth-deck, paint-locker, and bulkhead, across fire room, and lodged in the port coal-bunker, ripping up the deck in the gangway over it; whale boat's bottom shot away and gig injured. Received carpenters from flag-ship to make temporary repairs, plug shot holes, &c., and stood in towards the batteries, firing several guns.

Expended the following ammunition:

17 five-second 10-inch shell.	9 five-second 32-pound shell.
18 ten-second 10-inch shell.	20 ten-second 32-pound shell.
11 fifteen-second 10-inch shell.	11 fifteen second 32-pound shell.
46 ten-inch shell.	40 32-pound shell.
	46
	86
Shrapnell....	3
Total....	89

Powder.—46 ten-pound charges, 28 six-pound charges, 15 four-pound charges; total, 89 charges.

We have since learned that the pilot took us in the wrong channel or passage.

29*th.*—Went in to endeavor to get off the surf-boats from the beach; got one, and delivered her to steamer Adelaide; sent provisions to the troops on shore.

The Minnesota, Wabash, and Susquehanna opened fire on the large fort; the Cumberland came in, anchored, and opened fire.

Fort showed a white flag. Steamer Fanny went in; also the Adelaide and Peabody, with remainder of troops. Four American flags flying on the large fort, which fired a salute of fourteen guns.

Went to the assistance of the Harriet Lane, aground in the inlet; took men off the hulks.

30*th.*—Picked up a large boat adrift to northward and eastward; delivered her to Wabash.

The forts, we learn, mounted twenty-one guns, large calibre.

Six hundred and fifteen prisoners brought off to flag-ship, among them Captain Samuel Barron and Lieutenant Sharp, late of the United States navy. Of the confederates, there were seven killed and twenty-five wounded. Another report gives forty-five as the number killed; that many were sent off in their steamers up the sound on the evening of the 28th.

On board the Monticello there were two wounded slightly. The officers and crew of this vessel acted with courage and coolness, particularly whilst we were under the close and rapid fire of the large fort, and endeavoring to get the vessel in deeper water, she strking hard and frequent.

Allow me to congratulate you, sir, on this important and decidedly naval conquest.

I am, very respectfully, your obedient servant,

JOHN P. GILLIS,
Commander.

Hon. Gideon Welles,
Secretary of the Navy, Washington.

List of officers attached to the United States steamship Monticello.

Commander, John P. Gillis.
1st lieutenant, Daniel S. Braine.
Acting master, Edwin V. Gager.
Acting paymaster, George D. F. Barton.
Assistant surgeon, Fred. E. Potter.
Acting master, John F. Winchester.
Acting chief engineer, George M. Waite.
1st master's mate, Lewis A. Brown.
2d master's mate, Richard Hustace.
3d master's mate, Augustus G. Stibbins.
Acting 2d engineer, Jonathan Thomas.
Acting 3d engineer, Columbus L. Griffin.

To Lieutenant Braine I am indebted for the previous drilling of the crew and attention to the batteries; to Acting Master Gager for his careful management at the wheel; and to Acting Chief Engineer Waite for his care and promptness in the management of the engine.

Respectfully, your obedient servant,

JOHN P. GILLIS.

No. 136.]

UNITED STATES FLAG-SHIP MINNESOTA,
New York Harbor, September 2, 1861.

SIR: I have the honor to enclose to the department a correct list of the prisoners captured by the navy at Forts Hatteras and Clark on the 29th day of August, A. D. 1861, amounting to a few more than the number I gave in my despatch No. 133.

The three senior officers of the enemy surrendered their swords to me on board the Minnesota. Will the department please inform me what disposition I can make of them?

I am not able to get a correct list of the killed and wounded on the part of the enemy.

I wish in this official manner to renew the opinion which I have heretofore given as to the very great importance to the government of retaining in our possession the forts at Hatteras. This inlet I consider the key to all the ports south of Hatteras, and only second in importance to Fortress Monroe and Hampton Roads.

From all I can learn, it was the intention of the enemy to fortify this point as strongly as possible.

It will be of great service to our fleet in their blockading operations, and most effectually, I trust, put an end to the pirating which has been so successfully carried on there for some time past.

Respectfully, your obedient servant,

S. H. STRINGHAM,
Flag-Officer Atlantic Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy.

List of commissioned officers taken at Forts Hatteras and Clark, August 29, 1861.

Samuel Barron, commander C. S. navy.
James A. L. Bradford, colonel of ordnance and engineers C. S. army.
William F. Martin, colonel 7th North Carolina volunteers.
George W. Johnson, lieutenant colonel North Carolina volunteers.
H. A. Gilliam, major North Carolina volunteers.
W. S. G. Andrews, major of artillery North Carolina State troops.
John W. Poole, adjutant 7th North Carolina volunteers.
L. J. Johnson, captain North Carolina volunteers.
William Sharp, lieutenant C. S. navy.
James T. Lassell, first lieutenant 7th North Carolina volunteers.
James G. Carsang, ordnance sergeant.
Thomas H. Allen, lieutenant of ordnance and engineer.
William E. Poole, assistant surgeon.
J. T. P. C. Cahoon, captain 7th North Carolina volunteers.
John C. Lamb, captain 7th North Carolina volunteers.
L. L. Clements, captain 7th North Carolina volunteers.
Thomas H. Sharp, captain 7th North Carolina volunteers.
Thomas Sparrow, captain 2d North Carolina State troops.
G. G. Luke, captain volunteers.
W. A. Duke, captain volunteers.
W. Sutton, captain volunteers.
George W. Grimes, first lieutenant 7th North Carolina volunteers.
Kader Abrams, first lieutenant 7th North Carolina volunteers.
William Shaw, first lieutenant 2d North Carolina State troops.
J. C. Shannon, first lieutenant volunteers.
A. E. Bell, first lieutenant volunteers.
James W. Kinsey, first lieutenant volunteers.
J. W. Hory, second lieutenant 7th North Carolina volunteers.
M. W. Fatherby, second lieutenant 7th North Carolina volunteers.
William Biggs, second lieutenant 7th North Carolina volunteers.
Thomas J. Norman, second lieutenant 7th North Carolina volunteers.
Stewart L. Johnson, second lieutenant 7th North Carolina volunteers.
M. T. Moye, second lieutenant 7th North Carolina volunteers.
G. W. Daniel, second lieutenant 7th North Carolina volunteers.
James A. Whiteley, second lieutenant 7th North Carolina volunteers.
W. B. Wise, second lieutenant 7th North Carolina volunteers.
J. G. Moore, second lieutenant 7th North Carolina volunteers.
James J. Whitehurst, second lieutenant 2d North Carolina State troops
Anthony J. Thomas, second lieutenant 2d North Carolina State troops.
N. H. Hughes, second lieutenant volunteers.
C. G. Lamb, second lieutenant volunteers.
N. Taylor, second lieutenant volunteers.
A. W. Ezzell, second lieutenant volunteers.
James S. Whitehead, first lieutenant volunteers.
Thomas B. Griffin, third lieutenant 7th North Carolina volunteers.
G. T. Moore, company commissary.
And 624 privates, (names omitted.)

NAVY DEPARTMENT, *September* 2, 1861.

SIR: The department congratulates you and those of your command, and also the officers and soldiers of the army who co-operated with you on the reduction of Forts Hatteras and Clark, and the capture of the forces employed in their defence.

The successful result, thus far, of an expedition projected with great care, and the occupation of the position commanding the most important inlet on the coast of North Carolina will be attended with consequences that can scarcely be over-estimated.

This brilliant achievement, accomplished without the loss of a man on your part, or injury to any one in the federal service, has carried joy and gladness to the bosom of every friend of the Union.

It is, I trust, but the beginning of results that will soon eventuate in suppressing the insurrection, and confirming more strongly than ever the integrity of the Union.

Convey to the officers and men of the respective vessels under your command the thanks of the department for their gallant conduct, and the assurance that is thus afforded that, in the great emergency now upon us, the country may rely, as of old, upon the vigor, the courage, and the enthusiasm of its brave officers and sailors.

I am, respectfully, your obedient servant,

GIDEON WELLES.

Flag-Officer S. H. STRINGHAM,
Commanding Atlantic Blockading Squadron.

Lieutenant S. L. Phelps's report of an engagement at Norfolk, Missouri, September 10.

UNITED STATES GUNBOAT CONESTOGA,
Cairo, Illinois, September 10, 1861.

SIR: I have to inform you that this morning I got under weigh with this vessel, in company with the Lexington, at the request of Colonel Wagner, and proceeded down the river to cover an advance of troops from Norfolk in that direction. After passing considerably below the forces on shore, the Lexington turned back to be more near them. I proceeded further down to examine the head of island No. 2 for a reported battery, but failed to find it. I, however, discovered the enemy in force on the Missouri side, at Lucas's bend, and at once proceeded down and opened fire upon their artillery and cavalry. The enemy had about sixteen pieces of field artillery, and it is believed one heavy piece in battery. Several of their pieces were rifled cannon, and ranged to and beyond this vessel, striking all about her. In a short time Commander Stembel, hearing our guns, came down with the Lexington, and joined in the fight. The rebels moved their batteries from point to point, while we availed ourselves of our motive power to move up stream as the enemy would attempt to move up back from the banks, and bring their several batteries out at different places to fire a few rounds and gallop to some other point.

Their force of cavalry was considerable, and I fired several shells among them with great apparent effect.

The shell and shot of both our vessels were lodged among their batteries. Both the Lexington and this vessel retired out of range for a short time, about 1 o'clock, hoping to lead the enemy up higher, where our land forces were. Two steamers of the enemy had come up from Columbus—one, the gunboat Yankee, which also opened fire upon us, but I found our guns could not reach them where they were below the batteries. At about 2 o'clock I again dropped down with this vessel, determined to try a shot again at the rebel gunboat. The first shot fired must have struck her on the ricochet, as it touched the water close alongside, and she at once started down stream. The Lexington again came up, and it is believed succeeded in landing an 8-inch shell in the Yankee's wheel-house and side, where it burst. At all events, the vessel appeared to be greatly injured, and went off with but one engine working. She retired under the batteries at Columbus, where the other one had previously gone. Our boats again opened fire upon the enemy's batteries, and before 5 o'clock we had silenced them entirely, driven their force out of reach, and without injury to ourselves. I am satisfied we did great damage to the enemy.

While retiring, this boat was fired upon with musketry by an enemy concealed in a thicket and small out-house, and one man (Nelson Castle, quartermaster) was shot through the arm and in the forehead. I think he will recover, but an operation will be required upon the skull.

I at once opened with canister upon the thicket, and quickly cleared it of the rebels. Some of them were shot by our small arms men.

I cannot speak too highly of the spirit and will of the crew, scarcely one of whom had been under fire before.

I am, respectfully, your obedient servant,

S. L. PHELPS,
Lieutenant United States Navy.

Captain A. H. Foote, U. S. N.,
Commanding Naval Forces Western Rivers.

Commander R. N. Stembel's report of same engagement, September 13.

United States Gunboat Lexington,
Mound City, Illinois, September 13, 1861.

Sir: I have the honor to submit the following report, viz: On Sunday night, the 8th instant, at 11.30, I received an order from General Grant, through his aide-de-camp, Captain Hillyer, to proceed the next morning at daylight down the Mississippi river with this vessel to the town of Norfolk, Missouri, eight miles below Cairo, to afford protection to Colonel Wagner, chief of artillery, who would move in that direction at the same time with a column against the enemy, who were said to be in force at that place.

I did so, and remained in the vicinity of the colonel's camp that day and night, (having in the meantime been joined by the United States gunboat Conestoga,) without discovering the enemy, although intelligence of their moving in his direction was received by the colonel, and by him communicated to me.

On the morning of the 9th Colonel Wagner informed me by note that he would advance three miles with his command, and requested me to follow with the gunboats, which I did, dropping down some distance below the troops, where I had a good view down the river, but saw nothing worthy of notice. I then returned, and the Conestoga continued dropping down until she arrived at "Lucas's Bend," the point in the river above Columbus, where (Columbus) I had the Sunday previous, when on a reconnoitering expedition with Colonel Wagner, discovered two formidable batteries planted on the bluffs above the town, when she fired her stern gun at a large body of rebel cavalry, drawn up on the banks, as I was subsequently informed by Lieutenant Commanding S. L. Phelps.

I immediately ran down to the Conestoga, and, on my arrival in her vicinity, the batteries in the bend opened upon us; we engaged them, and soon silenced them, one of which, composed of flying rifled artillery, however, merely changed position higher up the river, and opened again. This it did several times, and each time we silenced it, until it finally retreated down the river, and I think embarked on board a steamer which came from the direction of Columbus at the commencement of the engagement, under convoy of what is supposed to be the rebel gunboat Yankee; both boats, flying the rebel colors, kept well in under the batteries on the bluff above the latter place.

The Lexington and Conestoga then ran down the bend, throwing a shell occasionally at the points from which they had been fired upon previously without eliciting a reply, until they reached a point which I estimated to be about 2½ miles distant from the Yankee, I then directed one of the 8-inch guns of the Lexington, charged with a 15″ fused shell, to be trained upon her, giving the gun its greatest possible elevation by removing the quoin, &c., and fired. I had the satisfaction of seeing the shell explode in her starboard wheel-house, careening her smoke-stack, and otherwise crippling her, when both rebel steamers retreated towards Columbus, the batteries on the bluff alone preventing their capture.

The gunboats then returned up the river, and were several times fired upon from the Missouri and once from the Kentucky shore with musketry, shells, and canister. There certainly must have been a large force opposed to us, and from the accurate firing of the gunboats the enemy's loss was undoubtedly very heavy. The only casualty on our part was one man seriously wounded on board the Conestoga by a musket ball from the Missouri shore.

I cannot here close this report without expressing to you my high appreciation of the manner in which the officers and men of both the gunboats deported themselves on this occasion; their conduct was cool and collected, and more like that of veterans than green hands, as most of them are. Lieutenant Commanding Phelps deserves particular notice for his masterly management of the Conestoga, and his effective fire, principally from his stern gun, which confirmed my previously entertained opinion, that the three gunboats now in service on these waters should each, to make them doubly useful, have a stern gun. I have, therefore, in you absence, taken the responsibility of transporting one of the 32-pounders, composing a part of the battery of this vessel, from forward aft, thereby, I think, increasing her efficiency that, I hope, will meet your approbation.

I have the honor to be your obedient servant,

R. N. STEMBEL,
Commanding U. S. Gunboat Lexington.

Commodore A. H. FOOTE, U. S. N.,
Commanding Gunboat Flotilla on Western Waters, Saint Louis, Mo.

Flag-Officer William Mervine's report of the burning of the privateer schooner Judah, September 15.

UNITED STATES SHIP COLORADO,
Off Fort Pickens, September 15, 1861.

SIR: I have the honor to inform you that a boat expedition was fitted out from this ship on the night of the 13th instant, consisting of the first launch, first, second, and third cutters, under the command of Lieutenants Russell, Sprotson, Blake, and Midshipman Steece, respectively, assisted by Captain Reynolds, of the marine corps, Assistant Surgeon Kennedy, Assistant Engineer

White, Gunner Boreton, and Midshipmen Forrest and Higginson. The whole force detailed consisted of about one hundred men, officers, sailors, and marines. The object of the expedition was the destruction of a schooner which lay off the Pensacola navy yard, supposed to be fitting out as a privateer, and the spiking of a gun in battery at the southeast end of the yard. The movements of the schooner had been assiduously watched for several days and nights, and I deemed it so morally certain that she was intended for a privateer that I determined the attempt should be made to destroy her, even in face of the fearful odds which would have to be encountered.

Lieutenant Russell had charge of the expedition, and with Lieutenant Blake was to attack the vessel, while Lieutenant Sprotson and Midshipman Steece spiked the gun.

The attack was made on the morning of the 14th instant at half past three o'clock. The schooner, named the Judah, was found moored to the wharf, under the protection of a battery and field-piece, and to be armed with a pivot and two broadside guns. Her crew were on her and prepared to receive our forces, pouring in a volley of musketry as the boats neared the vessel. A desperate resistance was made from the deck of the schooner, but her men were driven off on to the wharf by our boarders, where they rallied and were joined by the guard, and kept up a continued fire upon our men. In the meantime the vessel was set on fire in several places. That which finally consumed her was lighted in the cabin by Assistant Engineer White and a coal heaver, Patrick Driscoll, who went as a volunteer. She burned to the water's edge, and has since, while burning, been set free from her moorings, and has drifted down opposite Fort Barrancas, where she has sunk.

Of the party assigned to attend to the spiking of the gun, only Lieutenant Sprotson and Gunner Boreton were able, after considerable search, to find it, the party becoming separated in the darkness. No opposition being made to their landing, Mr. Steece, with his command, had gone to the aid of those on the schooner, where he performed valuable service.

Very fortunately, only one man was found in charge of the gun, and he immediately levelled his piece at Lieutenant Sprotson, but was shot down by Gunner Boreton before he could obtain certain aim, both pieces exploding simultaneously. The gun, which was found to be a 10-inch columbiad, was immediately spiked, and bringing off its tompion as a trophy, these two officers returned to their boat. The work proposed having thus been well and thoroughly done in the short space of fifteen minutes, and the whole force of the enemy in the yard (reported by deserters to be over one thousand strong) being aroused, our boats pulled away, and rallying at a short distance from the shore, fired six charges of canister from their howitzers into the yard, with what result it is impossible to say. Three of the enemy are known to have been killed, and our officers are confident the number is much larger. The boats then returned to the ship, arriving there about daylight.

But, sir, I am grieved to report that this brilliant affair was not unattended with loss on our side. I have to report as killed by shots from the cross-trees of the schooner, while the boats were approaching, Boatswain's Mate Charles H. Lamphere, and John R. Herring, seaman, and captain of howitzer, (two of the best men in our ship,) and marine John Smith, (the first man to board the schooner, and who behaved most gallantly,) who was, by a sad mistake, having lost his distinguishing mark, killed by one of our own men. We have wounded, probably mortally, seamen R. Clark and E. K. Osborne; severely nine other seamen.

Captain Reynolds received a severe contusion on his shoulder, and Midshipman Higginson had the end of his thumb shot off. Lieutenants Russell and Blake had narrow escapes, the flesh of each being grazed by one or more musket balls.

It is not an easy task to select individual instances of bravery or daring where all behaved so gallantly. The officers unite in giving great credit to the coolness and bravery with which they were supported by the men, and the latter have learned to look with new pride and confidence on the former. The marines especially seem to have sustained the reputation borne by their branch of the service, as they receive encomiums from all sides.

Assistant Surgeon Kennedy rendered valuable assistance in the care of the wounded. Assistant Engineer White brought down from the cross-trees of the schooner a man who had been seen to fire upon the boats, killing him instantly.

I enclose herewith a complete list of all engaged in the affair, with the names of the killed and wounded in each boat.

I have the honor to be, very respectfully, your obedient servant,

WILLIAM MERVINE,
Flag-Officer Commanding Gulf Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

P. S.—By a strange inadvertency, my mind being so much engrossed with the expedition itself, I omitted to give credit to Captain Bailey, of this ship, for maturing the plan and taking charge of fitting out the expedition to the minutest detail. It is to his thoughtfulness that a great portion of its success must be ascribed.

W. M.

UNITED STATES FRIGATE COLORADO,
Off Fort Pickens, Florida, September 15, 1861.

SIR: The following is a list of the men and officers who were injured in the capture and burning of the privateer schooner at the Warrington navy yard yesterday morning, viz:

1. Terrence O. Dowd, marine, born in Boston, gunshot wound through right thigh; severely injured.
2. Edward R. Osborne, ordinary seaman, born in New York, gunshot wounds in back and left arm; will probably prove mortal.
3. Robert Clark, seaman, born in Michigan, gunshot wounds in chest and right knee and thigh, which are also very severe.
4. Sevillan Coburn, marine, born in Massachusetts, gunshot wound in left side; not dangerous.
5. John Hennessy, ordinary seaman, born in Ireland, severe gunshot wound in left leg.
6. Charles Carberry, marine, born in Ireland, severe gunshot wound of the head.
7. Henry Ward, seaman, born in Rhode Island, severe gunshot wound through right cheek to throat.
8. Peter Keating, seaman, born in Boston, gunshot wound through right arm.
9. Stephen V. Austin, ordinary seaman, born in Rhode Island, gunshot wound of right wrist.
10. F. J. Higginson, midshipman, born in Massachusetts, gunshot wound of right thumb.
11. Edward McDonald Reynolds, captain of marines, born in Maine, slight wound on left arm.
12. William Fish, seaman, born in Massachusetts, severe gunshot wound in right thigh.

13. Joseph Wareham, seaman, born in New Jersey, gunshot wound through left arm into shoulder.

Lieutenants J. H. Russell and F. B. Blake were slightly wounded, but were not incapacitated for duty. The former was grazed by a ball on the left arm, the latter by one on the left side.

The following men were killed, viz:

1. John Smith, marine, born in Pennsylvania, killed by a bayonet wound in the abdomen, and he also received one in the chest.

2. John R. Herron, seaman, born in Philadelphia, killed by gunshot wound in right side, left arm, and hip.

3. Charles Lamphere, boatswain's mate, born in Boston, killed by a gunshot wound of heart.

Though the sultriness of the weather is unfavorable to the wounded, they are generally improving, and the health of this ship's crew and others of the squadron is good, so far as I can learn, with the exception of the Richmond's, among whom a case of yellow fever has occurred.

I am, very respectfully, your obedient servant,

G. R. B. HORNER,
Surgeon of the Fleet.

Flag-Officer WILLIAM MERVINE,
Commander-in-chief of Blockading Squadron, Gulf of Mexico.

List of the officers and men composing the night-boat expedition against the Pensacola navy yard from the United States flag-ship Colorado, September 14, 1861.

FIRST LAUNCH.

Lieutenant John H. Russell, commanding expedition; Captain E. McD. Reynolds, commanding marines; Assistant Surgeon S. D. Kennedy; Acting Midshipman F. J. Higginson, wounded; Third Assistant Engineer, George H. White.

Crew.

Charles H. Lamphere, coxswain, killed; John R. Herring, seaman, captain of howitzer, killed; Robert Galbraith, seaman; Henry Sinclair, seaman; John Hennessy, ordinary seaman, wounded; Robert Question; John Blackwell, seaman; John Higgins, landsman; Alfonso Robinson, seaman; George F. McCormick, seaman; Joshua Hickman, ordinary seaman; Stephen O. Austin, ordinary seaman, wounded; Dennis Brassline, ordinary seaman; Peter Caton, seaman, wounded; E. K. Osborne, ordinary seaman, wounded; John Bryan, seaman; George Reynolds, seaman; Horace Dexter, seaman; Daniel Hare, seaman; John H. Miller, seaman; Thomas Dalton, seaman; Joseph Wareham, seaman, wounded; Charles Wilson, ordinary seaman; Patrick Driscoll, coal-heaver; Alfonso Withers, doctor's assistant.

Marines.

Patrick Fitzsimmons, orderly sergeant; John Moore, corporal; Martin Barnum, private; Francis Kelly, private; James Fuller, private; Dennis Sullivan, private; Savillan Coburn, private, wounded; Anthony Baker, private; Michael Ryan, private.

FIRST CUTTER.

John G. Sprotson, lieutenant commanding; James D. Boreton, acting gunner; Michael Cotter, coxswain; H. Dogherity, seaman; R. Churchill, seaman; Peter Collins, seaman; Frank Benson, seaman; Jacob Smith, seaman; Lemuel Collins, seaman; Peter Smith, 2d., seaman; J. B. Aiken, seaman; John H. Lee, ordinary seaman; W. G. H. Ingram, ordinary seaman; James Daily, ordinary seaman; E. B. Gardner, ordinary seaman; Benjamin Butler, ordinary seaman; Henry A. Smith, ordinary seaman; Samuel Houton, landsman.

SECOND CUTTER.

F. B. Blake, lieutenant commanding; Moreau Forrest, acting midshipman; Robert Clark, coxswain, wounded fatally; William Fish, wounded; James McLoy; James Cunningham; John Darer; Richard Griswold; William Jackson; Robert Simpson; William Barrett; William Otho; John Smith; Henry Ward, wounded; Sylvanus Sage; James Smith.

Marines.

James Gallaher, sergeant; George Debbyshire, corporal; Terrence O. Dowd, private, wounded badly; John Smith, private, killed; John Ditto, private; Charles Daily, private; Edward Eagan, private; Augustus Hartman, private; Charles Carberry, private, wounded; Clarence Barton, private.

THIRD CUTTER.

Tecumseh Steece, midshipman commanding; William Shierson, coxswain; F. Langd, seaman; E. W. Randall, seaman; William Rand, seaman; Emille Anderson, seaman; William Lamb, seaman; John Connor, seaman; C. W. Spinney, seaman; Thomas A. Ready, seaman; Finley R. Babcock, ordinary seaman; James Williams, ordinary seaman; Richard Briggs, ordinary seaman; James Mead, ordinary seaman; Michael Davlin, ordinary seaman; Patrick McDermott, coal-heaver; John Cunningham, landsman.

RECAPITULATION.

Number of officers and men in first launch	39
Number of officers and men in first cutter	18
Number of officers and men in second cutter	26
Number of officers and men in third cutter	17
Total	100

	Killed.	Wounded.
First launch	2	7
First cutter	0	0
Second cutter	1	5
Third cutter	0	0
Total	3	12

Commander J. C. Rowan's report of the destruction of Fort Ocracoke, on Beacon Island, September 18.

UNITED STATES STEAMER PAWNEE,
Hatteras Inlet, September 18, 1861.

SIR: On Saturday, the 14th instant, I gave a pass to one of the people on Hatteras island to go to Ocracoke Inlet for the purpose of bringing his family from Portsmouth. I directed this person to examine the forts on Beacon island and Portsmouth island, and bring me a true report of the condition of things; the number of guns mounted, if any; and the number dismounted; whether any troops were there, and whether the gun-carriages had all been burnt or not, and to report the result to me on his return.

On Sunday morning, the 15th instant, the boat came alongside with the man and his wife and children in a destitute state. We gave them food, and the surgeon prescribed and furnished medicine for the sick of the family.

The man reported that there are twenty guns in Fort Beacon and four eight-inch shell guns at Portsmouth; that the guns were spiked and the carriages burnt on the 1st instant, as already reported to you.

He also stated that a steamer came to Beacon island, before he left Portsmouth, for the purpose of carrying off the guns.

I immediately determined to use all the means at my command to prevent the removal of the guns, and forthwith got the steamer Fanny alongside to prepare her for this service, and had the launch armed and equipped. I sent a request to Colonel Hawkins to give me as many of the naval brigade as could be spared, which he cheerfully complied with. When the Fanny was brought alongside, her iron rudder perch was found so much injured that it would be impossible to send her without repairs, and so the forge was gotten up, and the clink of hammers soon succeeded the voices of the crew in their responses to our usual Sunday morning service.

I despatched the information to Captain Chauncey, in the offing, who promptly informed me that he would send in four boats and all his marines. I sent him word that I would have great pleasure in co-operating with him as senior officer, and would send him the Tempest to tow his boats over Ocracoke bar.

At daylight on Monday morning the Fanny was towed alongside, and her rudder temporarily fitted; the naval brigade were taken on board with four days' provision and water, and the launch similarly provided for.

The expedition being carefully organized and provided with sledge-hammers to break off the trunnions, and 32-pounder shot and twenty 7-pound cartridges to be used in firing one gun against the trunnion of another, left this ship at half-past 7 o'clock. The launch commanded by Lieutenant Eastman, in tow of the Fanny; the expedition under the command of Lieutenant Maxwell, the executive officer of this ship.

I despatched the tug Tempest to Captain Chauncey, she drawing too much water to enter the sound. At 10 o'clock the Susquehanna and tug started for the inlet; on the evening of the same day the tug and Susquehanna returned and anchored off Fort Clark. The tug came the next morning, and the pilot informed me that the force from the Susquehanna did not enter Ocracoke in consequence of the surf.

On the afternoon of the 17th instant I felt much anxiety for our expedition. The Susquehanna remained at anchor in the offing, and our force was left to take care of itself.

Early this morning the lookout at the masthead gave us the gratifying intelligence that our expedition was in sight, and it reached the ship about 11 o'clock.

Lieutenants Maxwell and Eastman performed the service with ability and energy, and bore my thanks.

The destruction of the fort is complete, and twenty-two guns disabled; these were all the guns that were there, with the exception of two taken off in the steamboat Albermarle on Sunday. The destruction of the guns was with me a necessity. I had no means of transporting them nor of defending them in their position. I therefore hope my course will meet your approval.

I enclose a copy of Lieutenant Maxwell's report, giving all the details of this important service, which was performed without an accident of any kind.

I have the honor to be, very respectfully, your obedient servant,

J. C. ROWAN, *Commander.*

Flag-Officer S. H. Stringham,
Commanding Atlantic Squadron.

United States Steamer Pawnee,
Hatteras Inlet, September 18, 1861.

Sir: I have to report that in compliance with your orders of the 16th, I started for Ocracoke on that day in the steamer Fanny, towing the Pawnee's launch. Lieutenant Eastman had charge of the latter with twenty-two men and six marines from the ship, and the 12-pound howitzer, and I had on board six men and sixty-one soldiers of the naval brigade, under Lieutenants Tillotson and Rowe.

We arrived within two miles of the fort on Beacon island at 11 a. m., when the Fanny grounded. I sent Lieutenant Eastman in the launch to sound for the channel. While he was so occupied, a sail-boat with two men put off from Portsmouth to cross the sound. A shot from the Fanny brought them alongside, and they piloted us to within an hundred yards of the fort. It is called Fort Ocracoke, and is situated on the seaward face of Beacon island; it was entirely deserted; it is octagonal in shape, contains four shell rooms about twenty-five feet square, and in the centre a large bomb-proof one hundred feet square, with the magazine within it. Directly above the magazine, on each side, were four large tanks containing water.

The fort has been constructed with great care of sand in barrels covered with earth and turf; the inner framing of the bomb-proof was built of heavy pine timber. There were platforms for twenty guns, which had been partially destroyed by fire; the gun-carriages had been all burned. There were eighteen guns in the fort, viz: four 8-inch navy shell guns and fourteen long 32-pounders.

The steamer Albermarle left on Sunday afternoon, carrying off two guns. I found 150 barrels also, many of them filled with water; there being no water in the fort, they had brought it from Washington and Newbern.

I landed the men at half-past one o'clock, and commenced breaking off the trunnions of the guns. While a portion of our men and the naval brigade were so employed, I sent Lieutenant Eastman in the launch to Portsmouth, where he found three 8-inch navy shell guns lying on the beach, and one mounted on a carriage; they had all been spiked. There was no battery erected there, although we were informed that one would have been built but for our coming. There had been a camp at Portsmouth called Camp Washington, but a portion of the troops were sent to Fort Hatteras when it was attacked on August 28, and the remainder retired to the mainland.

Portsmouth, which formerly contained 450 inhabitants, was nearly deserted, but the people are expected to return; those remaining seem to be Union men, and expressed satisfaction at our coming. Lieutenant Eastman assured them that they would not be molested by the government, and that they might return to their usual occupations.

There are no intrenchments nor guns at Ocracoke. The fishermen and pilots who fled after our attack have generally returned. I tried to destroy the guns by breaking the trunnions off with sledges, and by dropping solid shot upon them from an elevation, with little success. I then fired solid shot from a 64-pounder at them, and in this manner disabled them.

Lieutenant Eastman disabled the guns at Portsmouth by knocking off the cascables and leaving them in the salt water on the beach. After destroying the guns I collected all the lumber, barrels, and wheelbarrows, and placed them in and about the bomb proof, set fire to the pile, and entirely destroyed it. A light-ship, which had been used as a store-ship, and which was run upon the shore some distance from the fort, with the intention of subsequently towing off and arming, I also set fire to.

At half-past six o'clock this morning I started on our return; we met with no detention, and arrived safely with all hands at half-past eleven o'clock,

I am happy to report that the conduct of our men and the naval brigade was excellent. Lieutenant Eastman and Lieutenants Tillotson and Rowe, of the naval brigade, rendered me most efficient assistance.

I am, respectfully, your obedient servant,

JAMES G. MAXWELL,
Lieutenant U. S. N.

Commander S. C. Rowan,
United States steamer Pawnee.

Commander Melancton Smith's report of affairs at Ship island, September 20.

United States Steamer Massachusetts,
At Ship Island Passage, September 20, 1861.

Sir: I have to inform you that at 7 o'clock on the evening of the 16th instant the rebels on Ship island fired the barracks and some of the shanties recently erected for the accommodation of the troops, destroyed the light-house by burning the interior and breaking the plate glass of the lantern, and then took steam for the main land.

The destruction of all the works and materials landed for the completion of the fort was evidently contemplated, but the hasty departure of the force was undoubtedly accelerated by a message sent from my rifled cannon and the appearance of the United States sloops Preble and Marion, under way in the distance.

The additions made to the fort display good engineering, and the work can be rendered bomb-proof by a different disposition of some thousands of sand bags that are ready filled upon the ground; at present there are eight casemates ready to receive another battery.

There are thirteen shanties and buildings still standing, a large quantity of lumber, some iron, and 36 head of cattle on the island. The officers rowing-guard and the lookout from aloft reported five steamers in sight at 10 o'clock on the night of the 18th, which induced me to get under way with the Preble and Marion and stand up into Ship Island passage for the better protection of the property left by the rebels, which they were probably seeking an opportunity to destroy.

These vessels will occupy their present position, unless otherwise instructed. On the evening of the 18th I despatched two armed launches, with crews from this vessel and the Preble, under charge of Mr. Stephen A. Ryder, master's mate, to destroy the submarine telegraph between Shieldsboro' and Pass Christian, and although the expedition was not completely successful, owing to a steamboat coast-guard in the immediate vicinity, the unusual size of the cable, and the limited time allowed for operations at the point referred to, I believe that the 59 feet removed will occasion great inconvenience, as every foot was exhausted, I understand, in making repairs at that point last year.

On approaching our anchorage an accident occurred, which, I regret to say, resulted in the loss of Robert Hatch, seaman, who was drowned by the swamping of the Preble's launch. The launch has, however, been recovered without injury, but with some loss of arms, ammunition, and gun equipments.

A copy of a letter from the lieutenant colonel in command at Fort Twiggs, addressed to me, was found posted on the fort bulletin, and is herewith enclosed. I forward also a section of telegraph cable for your examination, and a sample for Washington, should you consider it necessary to forward it.

Very respectfully, your obedient servant,

MELANCTON SMITH,
Commander U. S. Navy.

Flag-Officer WILLIAM W. MCKEAN, U. S. N.,
Commanding U. S. Blockading Squadron, Gulf of Mexico.

To the commander of the Massachusetts, United States ship-of-war, now lying off Ship island.

By order of my government I have this day evacuated Ship island. This my brave soldiers, under my command, do with much reluctance and regret. For three long months your good ship has been our constant companion. We have not exactly "lived and loved together," but we have been intimately acquainted, having exchaged *cards* on the 9th day of July last.

In leaving you to-day we beg you to accept our best wishes for your health and happiness while sojourning on this pleasant, hospitable shore.

That we may have another exchange of courtesies before the war closes, and that we may meet face to face, in close quarters, is the urgent prayer of

Very truly, your obedient servant,

H. W. ALLEN,
Lieutenant Commanding Ship island.

D. C. JENKINS,
Lieutenant and Post Adjutant.

FORT TWIGGS, *Ship island, September* 17, 1861.

Lieutenant D. L. Braine's report of shelling the rebels at Kinekeet, Hatteras Inlet, October 5.

UNITED STATES STEAMER MONTICELLO,
Off Hatteras Inlet, N. C., October 5, 1861.

SIR: I have the honor to inform you that in obedience to your order of this morning I stood through the inner channel of Hatteras shoals at 12.30 p. m., and stood close along shore to the northward, keeping a bright lookout from aloft. At 1.30 p. m. we discovered several sailing vessels over the woodland Kinekeet, and at the same time a regiment marching to the northward, carrying a rebel flag in their midst, with many stragglers in the rear; also two tugs inside flying the same flag. As they came out of the woods Kinekeet we ran close in shore and opened a deliberate fire upon them at the distance of three quarters of a mile. At our first shell, which fell apparently in their midst, they rolled up their flag and scattered, moving rapidly up the beach to the northward. We followed upon them, firing rapidly from three guns, driving them up to a clump of woods, in which they took refuge, and abreast of which their steamers lay. We now shelled the woods and could see them embarking in small boats for their vessels, evidently in great confusion and suffering greatly from our fire.

Their steamers now opened upon us, firing, however, but three shots, which fell short. Two boats, filled with men, were struck by our shells and destroyed. Three more steamers came down the sound and took position opposite the woods we were shelling; also two sloops. We continued firing deliberately upon them from one and a half p. m. until three and a half p. m., when two men were discovered on the sea-beach making signals to us. Supposing them to be two of the Indiana regiment, we sent an armed boat and crew to bring them off, covering them at the same time with our fire. Upon the boat nearing the beach they took to the water, and one of them was successful in reaching the boat—Private W. O. Haver, company H, 20th regiment Indiana troops. The other man, Private Charles White, company H, 20th Indiana troops, was, unfortunately, drowned in the surf. Private Haver informs me that he was taken prisoner on the morning of the 4th; that he witnessed our fire, which was very destructive; he states that two of our shell fell into two sloops, loaded with men, blowing the vessels to pieces and sinking them; also that several of the officers were killed; their horses were seen running about the track. He had just escaped from his captors after shooting the captain of one of the rebel companies. He states that the enemy were in the greatest confusion, rushing wildly into the water, striving to get off to their vessels. Private H. now directed me to the point where the rebels were congregated, waiting an opportunity to get off. I opened fire again with success, scattering them. We were now very close, in three fathoms water, and five second shells told with effect. Six steamers were now off the point, one of which I recognized as the Fanny. At 5.25 p. m. we ceased firing, leaving the enemy scattered along the beach for upwards of four miles.

I fired repeatedly at the enemy's steamers with our rifled cannon, a Parrott 30-pounder, and struck the Fanny, I think, once. I found the range of this piece much short of what I had anticipated, many of the shot turning end over end, and not exceeding much the range of the smooth bore 32-pounders. * *

I am, respectfully, your obedient servant,

D. L. BRAINE,
Lieutenant Commanding U. S. Steamship Monticello.

Captain J. L. Lardner,
Commanding U. S. Steamship Susquehanna, off Cape Hatteras, N. C.

United States Steamer Louisiana,
Chincoteague Inlet, October 5, 1861.

Sir: This morning at 9 o'clock we had a sharp conflict with the enemy, who, with 300 strong, attempted to cut off two boats from this vessel and twenty-three men, all told, which I had despatched to "take or destroy" a fine schooner which I had reason to believe was being converted into a privateer. Fortunately I had gone in with the steamer at the same time, it being high tide, and was enabled to cover the return of the party.

The boats, after passing through a terrible fire, finally reached the schooner, but finding her aground, made a breastwork of her and opened a deadly fire which, with the assistance of a few shots from our long range gun, drove the enemy back to a distant cover with loss, and the boats, after firing the schooner, returned without further molestation. Acting master Furniss estimates the loss of the rebels at least eight in killed and wounded, as he saw that number carried off. Our loss was one seriously wounded, (acting master Hooker,) and three very slightly.

I have nothing but praise to bestow on those engaged in the boats for their coolness and intrepidity when assailed by such overwhelming odds. They were yet some three hundred yards from the schooner when fired upon, but they preferred pushing on and returning through it rather than fail in accomplishing their object.

During a reconnoissance last night two of their despatch sloops were captured.

I have the honor to be, very respectfully, your obedient servant,

A. MURRAY,
Lieutenant Commanding.

Flag-Officer L. M. Goldsborough,
Commander-in-chief Atlantic Blockading Squadron.

Lieutenant A. D. Harrell's report of the burning of a schooner in Quantico creek, October 11.

United States Steamer Yankee, *October* 11, 1861.

Sir: I have the honor to transmit herewith a report from Lieutenant Commanding A. D. Harrell, relative to the burning of a large schooner in Quantico creek.

The affair seems to have been well planned and gallantly executed.

Very respectfully, your obedient servant,

THOMAS T. CRAVEN,
Commanding Potomac flotilla.

Hon. Gideon Welles,
Secretary of the Navy, Washington, D. C.

United States Steamer Union,
Off Acquia creek, October 11, 1861.

Sir: I have the honor to submit the following report for your information:

Being informed of a large schooner lying in Quantico (or Dumfries) creek, and knowing also that a large number of troops were collected at that point with the view of crossing the Potomac river, as was reported to me, I conceived it to be my duty to destroy her. With this object in view I took two launches and my boat and pulled in for the vessel at half-past 2 a. m. this morning. One of the launches was commanded by Midshipman W. F. Stewart, accompanied by the master, Ed. L. Haynes, of the Rescue, and the other by Acting Master Amos Foster, of the Resolute. I took with me the pilot of this vessel, Lewis Penn.

Some little difficulty was experienced in finding the entrance to the creek, which you will remember is very narrow, but having found it we pulled up this crooked channel, within pistol shot of either shore, until we discovered the schooner. She was close to the shore, in charge of a sentry, who fled at our approach and alarmed the camp. She had a new set of sails, and all the furniture complete in the cabin, which was collected together and fired, producing a beautiful conflagration, but unfortunately revealing our position to the enemy, who commenced a rapid fire from both banks of that narrow and tortuous stream and kept it up, intermingled with opprobrious (?) epithets, until we were beyond their range.

Our crews returned a random fire from the boats and two steamers, gave three cheers, and pulled for their vessels, the light from the burning schooner guiding them on their way. Her destruction was complete; and although the clothes of the men and the boats were perforated with balls, not a man killed. Officers and men vied with each other in the performance of their duty. Acting Master Foster applied the match in the cabin of the doomed vessel. Acting Assistant Surgeon W. R. Bonsall accompanied the expedition, ready should his services be required. I hope what I have done will meet your approbation, notwithstanding I have acted without orders.

This little affair will show the enemy at least that we are watching him, and ready to meet and destroy his preparations for crossing this river at all times.

I have the honor to be, your obedient servant,

A. D. HARRELL,
Lieutenant Commanding.

Captain T. T. CRAVEN,
Commanding Potomac Flotilla.

UNITED STATES STEAMER UNION,
Off Acquia creek, October 14, 1861.

SIR: Subsequently to my report of the affair at Quantico creek, I have received reports from the commanding officers of the two launches. They speak in the highest terms of Reuben Applegate, gunner's mate, and Robert Anderson, boatswain's mate. I add the name of John Lear, my coxwain on that occasion. The conduct and praiseworthy example of these men under trying circumstances is worthy of commendation. * * * * *

I have the honor to be your obedient servant,

A. D. HARRELL,
Lieutenant Commanding.

Captain T. T. CRAVEN,
Commanding Potomac Flotilla, Potomac river.

Commander Samuel Lockwood's report of the silencing of the batteries near Lynnhaven bay, Cape Henry, October 11.

UNITED STATES PROPELLER DAYLIGHT,
Blockading off Cape Henry, October 11, 1861.

SIR: Yesterday afternoon, a few minutes before 4 p. m., it was reported to me that a battery on shore in Lynnhaven bay had opened fire on the American ship John Clark, of Baltimore, which had come in and anchored during the gale, and dragged within range of the enemy's guns, distant about a mile and a half. I got under weigh and stood down to her assistance, and on getting within range opened fire, and a spirited engagement was kept up on both sides for about forty minutes, when the enemy ceased firing, their battery of four or five guns being silenced, so that although we remained within range for an hour and a half after the firing had ceased, assisting the ships to get under way, not a shot was fired by them. Our shot were generally well directed and must have done execution; fortunately, none of their shot hit us, but they came quite near enough. The officers and men were eager for the fray, and evinced a spirited determination to do their whole duty, and I was well pleased, not only with their conduct but also with the precision of their aim.

I have the honor to be, sir, respectfully, your obedient servant,

SAMUEL LOCKWOOD,
Commander.

Flag-Officer L. M. Goldsborough,
Commanding Atlantic Blockading Squadron, Hampton Roads, Va.

Captain John Pope's report of the affair at the Passes of the Mississippi, October 13.

United States Steamer Richmond,
Southwest Pass of Mississippi river, October 13, 1861.

Sir: I have the honor to make the following report: At 3.45 a. m., October 12, 1861, while the watch on deck were employed in taking coal from the schooner Joseph H. Toone, a ram was discovered in close proximity to this ship. By the time the alarm could be given, she had struck the ship abreast of the port fore channels, tearing the schooner from her fasts and forcing a hole through the ship's side. Passing aft, the ram endeavored to effect a breach in the stern, but failed. Three planks on the ship's side were stove in, about two feet below the water line, making a hole about five inches in circumference. At the first alarm the crew promptly and coolly repaired to their quarters, and, as the ram passed abreast of the ship, the entire port battery was discharged at her, with what effect it is impossible to discover, owing to the darkness. A red light was shown as a signal of "danger," and the squadron was under way in a very few minutes, having slipped their cables. I ordered the Preble and Vincennes to proceed down the Southwest Pass, while I covered their retreat, which they did at about 4.50 a. m. At this time three large fire rafts, stretching across the river, were rapidly nearing us, while several large steamers and a bark-rigged propeller were seen astern of them. The squadron proceeded down the river in the following order: 1. Preble; 2. Vincennes; 3. Richmond; 4. Water Witch, with the prize schooner Frolic in tow. When abreast of the Pilot settlement, the pilot informed me that he did not consider it safe to venture to turn this ship in the river, but that he believed he could pass over the bar. I accordingly attempted to pass over the bar with the squadron, but in the passage the Vincennes and the Richmond grounded, while the Preble went over clear. This occurred about eight o'clock, and the enemy, who were now down the river with five steamers, commenced firing at us, while we returned the fire from our port battery and rifled gun on the poop, our shot, however, falling short ot the enemy, while their shell burst on all sides of us, and several passed directly over the ship. At 9.30 Commander Handy, of the Vincennes, mistaking my signal to the ships outside the bar to "get under way" for a signal for him to "abandon his ship," came on board the Richmond with all his officers and a large number of his crew, the remainder having gone on board the Water Witch. Captain Handy before leaving his ship had placed a lighted slow-match at the magazine. Having waited a reasonable time for an explosion, I directed Captain Handy to return to his ship with his crew, to start his water, and if necessary, at his own request, to throw overboard his small guns for the purpose of lightening his ship, and to carry off his kedge with a cable to heave-off by. At 10 a. m. the enemy ceased firing and withdrew up the river. During the engagement a shell entered our port quarter port, and one of the boats was stove by another shell. At 10.30 a. m. despatched Acting Master Devens, of the Vincennes, in the Frolic, with orders to the South Carolina in Barrataria bay to come down to our assistance. At 1 p. m. made a steamer standing down from Pass à l'Outre towards us, which proved to be the army transport McClellan, with rifled guns from Fort Pickens for this ship. At 4 p. m. sent the Water Witch down to Barrataria bay for the South Carolina and Huntsville, with orders to order the latter to Pass à l'Outre and the former to this place. At 5 p. m. received on board the guns and ammunition from the McClellan. My object in despatching the Water Witch for the above-named steamers was for the purpose of having them up as soon as possible, and to send the Huntsville to guard Pass à l'Outre and the South Carolina to assist in towing this ship and the Vincennes over the bar, to prevent us being fired or sunk. I have this morning succeeded in getting this ship over the bar. The McClellan and South Carolina are using all exertions to get the Vincennes off. The Nightingale is hard and fast ashore to the northward of the bar. I have succeeded in reducing the leak of this ship so that our small engines keep the ship free. This is only temporary, and the ship will have to go to some place and have three planks put in. I have received the rifled guns, and placed the 32-pounder on the forecastle and the 12-pounder on the poop. The coal schooner Joseph H. Toone fell into the hands of the enemy, having about fifteen tons of coal on board. Could I have possibly managed this ship in any other way than keeping her head up and down the river, I would have stopped at Pilot Town to give battle; but this was found too hazardous, owing to extreme length. The attempt was made, but the broadside could not be brought to bear without running the ship ashore. I then concluded, as advised by the pilot, to run for the bar, and trust to the chance of finding water enough to cross.

The schooner John N. Genin is at anchor outside of the bar. As soon as I can discharge her, the guns, &c., the charter party will be indorsed as you directed. In narrating the affair of the river I omitted to state that the ram sunk one of our large cutters, and a shot from the enemy stove the gig. I am pleased to say the Vincennes is afloat and at anchor outside on my starboard quarter. I send by the McClellan the detachment of men belonging to the Niagara and Colorado. I have ordered Assistant Surgeon Robinson, of the Vincennes, to temporary duty on board of this ship.

At the advice of the surgeon of this ship, I have permitted Assistant Surgeon Howell (condemned by survey) to return in the McClellan, all of which I hope you will approve.

I have also directed Commander Alden to proceed with all despatch to Pass à l'Outre, and as soon as relieved by a steamer to return to his station. I also loaned to him the rifled howitzer sent out for the Powhatan. I have ordered the master of the Nightingale to deliver fifty tons of coal to the McClellan. This, together with what I will take out, will, I trust, lighten her so that I will be enabled to haul her off, when I shall put the guns, &c., from the schooner on board.

Very respectfully, your obedient servant,

JOHN POPE,
Captain.

Flag-Officer WM. W. MCKEAN,
Commanding Blockading Squadron.

UNITED STATES SHIP VINCENNES,
Off Southwest Pass, Mississippi River, October 14, 1861.

SIR: I have to report my safe arrival at this place, having left the head of the Passes on the 12th instant, in company with the Richmond and Preble. On my route down it was my misfortune (as anticipated) to ground some distance from the bar, going head on The three vessels were pursued by rebel armed steamers, who, after a while, commenced a brisk firing. The Vincennes not being able from her situation to bring her broadside guns to bear on the enemy, I took down all the cabin bulkheads and caused two of the 8-inch shell guns to be run out of the stern ports; continued a rapid firing with them until the signal, No. 1, (as understood aboard this ship,) was displayed from the Richmond; I continued my firing, however, until some time afterwards. I then directed the officers and crew to repair to the Richmond and Water Witch. Previously to leaving this ship I caused a slow match to be placed in the magazine, which, fortunately, did not cause an explosion. I then reported myself to Captain Pope, ascertaining from him that there was a misunderstanding about the signal. I repaired, with the officers and crew then on board the Richmond, to the "Vincennes," obtaining his permission to throw overboard the fourteen 32-pounders, round shot, and any article that might have a tendency to lighten the ship, as I was more than anxious to save her from the grasp of the rebels, feeling that the vessel was of more value to the government than the guns. Although the ship was lightened by the operation, still it was not sufficient to float her; but the day following I was relieved from my embarrasing situation by the steamers South Carolina and McClellan. I trust, sir, that my conduct will meet with your entire approbation, governed as I was from a strict sense of duty.

I am, sir, respectfully, your obedient servant,

ROBERT HANDY,
Commander.

UNITED STATES STEAMER RICHMOND,
Off Pass à l'Outre, Mississippi River, October 17, 1861.

SIR: My report to you in regard to our leaving the head of the Passes having been made in a great hurry, in order to acquaint you as soon as possible of the leading facts of the case, many incidents were omitted which I will now report.

After the first blow given to this ship by the ram, on the morning of the 12th instant, it remained under our port quarter, apparently endeavoring to fix herself in a position to give us a second blow, but the slipping of our chain and the ship ranging ahead under steam frustrated the object. The ram dropped astern, but soon gathered headway and ranged our port beam, receiving the fire of the port battery, some guns of which were discharged twice. It then ranged ahead, passing up the river, receiving the fire of the port battery of the Preble, disappearing in the darkness. Owing to the darkness I was unable to see the effect of our shot upon her, but some officers are of opinion they heard shot strike the ram. I passed the Preble and stood up the river, when Acting Master Wilcox reporting we were getting too close to the starboard shore, the helm was put up and the ship rapidly fell off, presenting her broadside up and down the river. As soon as she had drifted near the head of the Passes, ineffectual attempts were made to get her head up stream, when I found myself a mile and a half down the Southwest Pass. I then put the helm up, continued down the river, hoping to be able to get her head round off Pilot Town. In doing this she drifted some distance below, grounding broadside too. Soon after this the enemy opened their fire upon us, which was kept up for about two hours. The day before leaving the head of the Passes I had succeeded in placing one of our 9-inch broadside guns on the topgallant forecastle, giving a long range, and it was continually fired during the engagement. About 9 o'clock a. m., during the firing, it was reported to me that several boats filled with men were leaving the Vincennes; some went on board the Water Witch, others came to this ship. In a few minutes Commander Handy, with several of his officers, came on board; Commander Handy having wrapped around his waist, in broad folds, an American flag, and, upon being asked, stated he had abandoned his ship in obedience to signal. Being told no such signal had been made, he insisted "he so read it," that Captain Winslow had so read it.

The following day Lieutenant Commanding Winslow being asked, remarked "he saw no such signal;" that when he was asked by one of Captain Handy's officers if that was the meaning of the signal, sent word to Captain Handy "that it was impossible" to get guns out of his stern ports and fight his ship. As soon as it was thought, from the description of the slow-match, that it had gone out, Captain Handy, his officers and crew, returned to their ship. In the evening I received a note from Captain Handy, a copy of which, and my reply, is enclosed.

After I had taken the guns and ammunition from the McClellan she was sent to the assistance of the Vincennes, and endeavored to get her afloat; in the meantime I carried out a stream anchor from this ship astern, and, after unsuccessful attemps for two or three hours, the McClellan returned to this ship, and was lashed alongside to wait until a rise of the tide. At early daylight of the 13th instant, the South Carolina, Commander Alden, came in, and I directed him to proceed, and, if possible, get the Vincennes afloat. Soon after, this ship was got afloat, her head down stream, and the McClellan was instantly cast off and went to assist in getting the Vincennes afloat. As there was not room for this ship to lay at anchor, or to turn to point her head up the stream, I had no other alternative than to cross the bar and anchor ouside. My mind was very much relieved, knowing that the armament of four rifled guns on board the McClellan, together with the long gun of the South Carolina, would keep the enemy at bay. At about 2 p. m. the Vincennes was got afloat, crossed the bar, and anchored near this ship, and the South Carolina was immediately despatched to Pass à l'Outre, to guard that place until I could send him a relief.

My retreat down the pass, although painful to me, was to save the ships, by preventing them being sunk and falling into the hands of the enemy; and it was evident to me they had us in their power, by the operation of the ram and fire-rafts. If I have erred in all this matter it is an error of judgment; the whole affair came upon me so suddenly that no time was left for reflection, but called for immediate action and decision. The ram having made its appearance next day at the mouth of the river, the impression is she sustained no injury from our shot, only waiting an opportunity to destroy our ships.

It having been rumored there was a panic on board this ship at the time she was engaged with the enemy, I state it to be false; both officers and men exhibited the utmost coolness and determination to do their duty. My orders and those of all the officers were carried out with as much coolness as if it had been an every day affair, and their whole conduct merits high commendation; and they would feel gratified to prove their bravery by being permitted to take part in the contemplated attack on Pensacola, as requested in notes from me to you on this subject. In both engagements with the enemy the whole fire appeared to be directed to the destruction of this ship, most of the shot being, apparently, directed to the quarter of this vessel, presumed for the purpose of disabling our rudder and propeller.

I omitted, in my hasty report, to mention the essential aid I have received from Captain Gray, commanding the army transport McClellan, in getting this ship and the Vincennes afloat. From Lieutenant Commanding Winslow, commanding the Water Witch, I received every possible assistance that could be rendered.

I directed Commander French, of the Preble, as soon as it could be done, to

Pass à l'Outre to guard that entrance. This he was unable to do at the time; the wind being ahead and a strong current setting to leeward, he was barely able to hold his own. He came in and anchored and reported to me; he was quite out of wood and coal. I told him he could procure wood off the Northeast Pass, where he would be stationed after the arrival of one of the steamers at Pass à l'Outre. He replied, it was impossible to get wood there, and earnestly requested to go to Ship island, where he would in two days procure wood sufficient for himself and the Vincennes. I reluctantly consented to his doing so, knowing that one of the steamers, either the South Carolina or Huntsville, would reach Pass à l'Outre in advance of him.

All of which is respectfully submitted.

I have the honor to be, very respectfully, your obedient servant,

JOHN POPE, *Captain.*

Flag-Officer WM. W. MCKEAN,
Commanding Blockading Squadron,

P. S.—This and my first report to you embraces all the facts, to my best recollection; and if they are not satisfactory, I respectfully ask for a court of inquiry in the matter; and if it cannot be granted without detriment to the service at this time, that it may be referred to the honorable Secretary of the Navy,

JOHN POPE.

The following is a copy of a note received from Commander Handy on the eve of his ship getting aground, and my reply to the same:

SIR: We are aground. We have only two guns that will bear in the direction of the enemy. Shall I remain on board after the moon goes down with my crippled ship and worn-out men? Will you send me word what countersign my boats shall use if we pass near your ship? While we have moonlight, would it not be better to leave the ship? Shall I burn her when I leave her?

Respectfully,

ROBERT HANDY.

UNITED STATES STEAMER RICHMOND,
Southwest Pass, October 12, 1861.

SIR: You say your ship is aground. It will be your duty to defend your ship up to the last moment, and not to fire her except it be to prevent her from falling into the hands of the enemy. I do not think the enemy will be down to-night, but in case they do, fight them to the last. You have boats enough to save *all* your men. I do not approve of your leaving your ship until every effort is made to defend her from falling into their hands.

Respectfully, your obedient servant,

JOHN POPE, *Captain.*

Commander R. HANDY,
Commanding U. S. ship Vincennes.

UNITED STATES STEAMER PREBLE,
Off Southwest Pass, Mississippi river, October 22, 1861.

SIR: In obedience to your order, I have to make to you the following statement of the occurrences at the head of the Passes, on the morning of the 12th instant.

This ship was anchored about one hundred and fifty or two hundred yards distant from the Richmond, and about two points on her starboard bow, being the most advanced ship of the forces there at anchor. I had been on deck most of the time during the night; had left it but a short time previously, and was lying in my berth asleep, with all my clothes on, when a midshipman rushed into the cabin exclaiming "Captain, here is a steamer right alongside of us." I sprang instantly on deck; the order had already been given to "beat to quarters," and the men were then assembling at their guns. This was about 3.40 a. m. The moon had set or was obscured by clouds, and the night somewhat dark, with the wind from the northward. As I passed out of my cabin on my way to the deck, I saw through a port an indescribable object, not twenty yards distant from our quarter, moving with great velocity toward the bow of the Richmond. My orders from the senior officer were, in the event of discovering any danger at night, to hoist a red light at the gaff. This had been done by the officer of the deck instantly on the discovery of the object, which was first seen about fifteen or twenty feet directly ahead of this ship, and drifting with the current directly towards us. Not a speck of light, smoke, or any moving thing could be seen on or in it, and it looked somewhat like a huge whale in the water.

The instant the persons on board of it discovered our movements, it seemed to change its direction to avoid us, and made directly for the Richmond. In an instant huge clouds of the densest, blackest smoke rolled up from it, and we all expected to see her blow up, but afterwards concluded it must have been the ram, of which we had been told so much. It next made its appearance about a hundred yards distant, and directly abeam of this ship, where it lay quietly for a few minutes, apparently hesitating whether to come at us or not. I instantly opened my port battery, and gave her three broadsides in rapid succession, the Richmond also firing. She then slowly steamed up the river, and when on our port bow threw up a rocket. This ship had been lying all the time with a range of only 15 fathoms cable, in readiness to slip in case of emergency. While firing at him, word was passed that the Richmond was going ahead of us, and to hold our fire. I was directing the firing at the battery, and hearing it, looked out of a port and saw that she was astern, barely lapping my quarter, and therefore continued my firing until the ram was out of line of pointing. I at once manned my deck tackle (for my capstan has been crippled since the hurricane at Key West, and I am therefore compelled to use deck tackles) and began to heave in my chain. Immediately on the rocket being thrown up from the ram, three bright lights were seen coming down the river, directly towards this ship, which we at first supposed to be steamers coming to attack us. They soon, however, increased so rapidly in size that we were fully convinced they were fire-ships, and such they proved to be. I was then working smartly with my deck tackles, and should have succeeded in weighing my anchor, when it was reported to me that the Richmond was steaming down the river. I could not and would not believe it possible, until I ran aft and saw her astern, and heading down. The fire-ships were then not more than 150 yards distant, directly ahead, and coming down upon this ship. At the urgent suggestion of the first lieutenant and other officers, I then gave the order to make sail and slip the cable, having first taken off the slip buoy so that the enemy should not easily obtain it. The ship's head was immediately headed towards the Southwest Pass, orders to that effect, in the event of our being obliged to slip at any time, having been for some time previously given by the senior officer present.

The moment this ship was discovered by the fire-ships (which were in tow of two steam tugs, one on each wing,) to be under way, their direction was changed towards the Richmond and Vincennes, which were on the opposite side of the river and below this ship. Continuing down the river, I came up with the Richmond, which was burning the Coston's signals; and, passing within a few yards of his stern, I hailed and said, "I can hear your orders, what are they?" The answer was, "Proceed down the Pass." We were so near my reply was made without the use of a deck trumpet. I continued down the Pass, and soon passed by the Vincennes, which soon after signalized to the Richmond, "Shall I anchor?" which was answered by *general signal*, "Cross the bar." Not long after, the "Vincennes" was discovered to be aground, with her stern up the river. This ship shortly after took the bottom, and I feared would also stick; but after two or three smart rolls worked herself over and crossed the bar, when I anchored near the coal ships Kuhn and Nightingale, to protect them in case of necessity. I should have stated that the fire-ships were towed on shore by the enemy at the head of the Pass, and two or three steamers were seen coming rapidly down the river to attack the ships. The Richmond was at that time slowly moving down, the Water Witch assisting the Vincennes. The engagement had now commenced between the Richmond, Vincennes, and Water Witch on our side and three of the enemy's steamers; one of them being a large bark-rigged vessel, said to be the Miramon, but now called the McRea. Two other steamers were also in company, but I could perceive no firing from them. At this time signal was made from the Richmond to ships outside the bar to get under way. I, of course, obeyed the signal, as did also the Kuhn; the Nightingale being ashore, of course could not. It was not long before we discovered the Richmond to be aground. The firing continued about two hours or more, when the enemy's steamers retired up the river. About noon received from the Water Witch 6 officers and 70 men from the Vincennes, which we then learned had been abandoned.

The only signals I saw made by the Richmond during the engagement were those made to this ship, and one other to the Water Witch, "Engage the enemy."

Respectfully, your obedient servant,

H. FRENCH,
Commanding United States Ship Preble.

Flag-Officer WM. W. MCKEAN,
Commanding Gulf Blockading Squadron,
United States Ship Niagara.

UNITED STATES STEAMER WATER WITCH,
Off Southwest Pass, October 24, 1861.

SIR: In compliance with your instructions, the following statement of the recent occurrences in the Mississippi river, on the morning of Saturday, October 12, 1861, is respectfully submitted.

The Water Witch, after towing a schooner laden with coal alongside the Richmond, had anchored the preceding afternoon on her starboard quarter, a little in shore, and the Richmond was employed during the night discharging the schooner, which was made fast on her port side.

The Preble was anchored a short distance ahead, and on the starboard bow of the Richmond, and the Vincennes lower down on the opposite side of the river, and nearer the entrance of the Southwest Pass.

The moon having gone down, and the sky being partially overcast, the night was dark and every way favorable to the operations of the enemy. Between 3.30 and 4 a. m. the alarm was given on board the Frolic, a small prize schooner anchored nearly ahead of us, the officers in charge hailing the Richmond, to apprise her of danger from a steamer descending the river. Almost immediately after, the crash of a collision with the Richmond was distinctly audible on board the Water Witch. The coal schooner was next observed drifting astern, and apparently in contact with her, a low dark steamer, almost obscured by a dense column of smoke. The peculiar puffing sound of a high-pressure engine was also heard. The steamer passed near the Water Witch, steering over towards the Vincennes, as we supposed, but soon turned and commenced ascending the river. The Richmond's battery was now opened on her, and soon after a broadside was discharged from the Preble. A signal rocket was then thrown from the steamer towards the Richmond, and shortly afterwards three dim lights appeared up the river in the vicinity of the eastern shore.

The Richmond having now slipped her chain, turned her head slowly in the direction of the Vincennes, and, apprehending an immediate attack, the chain of the Water Witch was also slipped, and she was backed astern a short distance to allow the prize schooner Frolic to coast and pass her.

The lights up the river rapidly increasing and expanding, were soon ascertained to proceed from three *fire rafts* gradually drifting down towards us, and it was now deemed expedient to steam over towards the opposite shore. As we passed the Vincennes she was observed to be under way and heading down stream. A night signal (interpreted to "Act at discretion") was now made by the Richmond, and soon afterwards the Preble also passed us, steering towards the Southwest Pass. Finding that the *fire rafts* were drifting with the wind steadily over towards the western shore, the Water Witch was now steered to the northward and eastward, (up stream,) and easily cleared them. They subsequently stranded on the western bank, together with the schooner from which the Richmond had been coaling—a leaky prize vessel of little value, with no men on board.

Ignorant of the exact position of the squadron, the Water Witch, towards daybreak, dropped down to the entrance of the Southwest Pass, and with the earliest light (about 5.30 a. m.) made out the Richmond, accompanied by the sailing vessels, some three or four miles down the Pass, steering for the bar.

The river at this time, in the vicinity of the "head of the Passes," was entirely clear of the enemy, but an officer, sent to the masthead, reported the smoke of four steamers beyond a bend in the river, five or six miles above us, besides a large bark-rigged propeller still higher up.

Deeming it important to communicate these facts to the senior officer, and apprehending a design on the part of the enemy to run the bark out to sea by the Pass à l'Outre, (which the light howitzer battery of the Water Witch would have proved inadequate to prevent,) she was now steered after the Richmond at full speed, stopping her wheels for a moment only to take in tow the prize schooner Frolic, which was dropping astern of the other vessels.

About this time general signal No. 435, "Cross the bar," was made by the Richmond. On ranging alongside that ship the urgent necessity of an immediate return to the "head of the Passes" was represented, but as her propeller was in motion, I am not sure the suggestion was understood. An order was received to "Get the sloop over the bar," and the importance of the Richmond's *anchoring at once* (to cover their passage out) was pressed in reply. The Water Witch then ranged ahead to execute her orders. Lieutenant Davis (the executive officer) was put on board the Preble to pilot her out, but before I could reach the Vincennes she had unfortunately grounded on a flat to the left of the channel, and all efforts to tow her afloat proved fruitless. The Richmond, in attempting to turn her head up stream, also grounded near the Vincennes. The Preble was safely taken over the bar by Lieutenant Davis, who promptly returned to his station on board, while the Water Witch was still under fire of the enemy's steamers.

Finding the "head of the Passes" evacuated, the Confederate steamers followed us down the Southwest Pass, the Ivy leading and opening fire on the Richmond, at a long range, with a heavy rifled gun; shortly after the Vincennes grounded. The Richmond replied from a 9-inch shell gun mounted on the "forecastle" and a rifled howitzer on the "poop," and occasionally from her broadside guns.

Signal to "Engage the enemy" being also made to the Water Witch, our efforts to relieve the Vincennes were discontinued, and our rifled 12-pounder howitzer (the only gun of adequate range on board) was brought to bear upon the Ivy.

The bark, (supposed to be the McRae,) having also got within range, commenced firing with a rifled or Parrot gun, throwing shot and shell beyond the Richmond, and almost down to the bar.

The Richmond succeeded once or twice in backing off into deeper water, but drifted down with the current, and finally grounded again about a quarter of a mile below the Vincennes, with her broadside up the river; obliging us to exercise some care in keeping clear of the range of her guns.

The Vincennes, with her stern up stream, from which but two guns could be brought to bear on the enemy, remained in a critical position, exposed to a raking fire. A signal, made by the Richmond, at this time, to the vessels below the bar, (to get under way,) was erroneously reported to Commander Handy as a signal to abandon ship; and an officer was sent to me from the Vincennes to ask if any such signal had been made, and that Captain Handy *should continue to defend his vessel.* Soon afterwards, however, several boats came alongside of the Water Witch, with the marine guard and a portion of the officers and crew of the Vincennes. Subsequently Captain Handy with the remainder repaired on board the Richmond, the formidable battery of which ship alone prevented the enemy from taking possession of the abandoned vessel, as the Confederate steamers at no time ventured to drop within effective range of her broadside guns.

Between 9 and 10 a. m., apparently contented with the result of the action, they ceased firing, and steamed up the river.

It is satisfactory to have it in my power to report the coolness and steadiness of those under my command on this occasion, as well while awaiting in uncertainty and obscurity the breaking of day at the "head of the Passes," as subsequently when under the fire of the enemy.

After transferring to the Preble the officers and men of the Vincennes who had taken refuge on board our vessel, the Water Witch was next engaged in another unsuccessful attempt to get that ship afloat, Commander Handy, with the greater part of his crew, having returned on board. During the afternoon the steamer McClellan arrived from Fort Pickens with two Parrot guns, which were immediately placed on board the Richmond, and about 4 p. m. the Water Witch was despatched by Captain Pope to communicate with the steamers South Carolina and Huntsville, (in Barrataria and Berwick bays,) taking verbal orders to Commander Alden to proceed to Pass á l'Outre, and to Commander Price to join the Richmond at Southwest Pass.

Regretting my inability to communicate *more briefly* a faithful detail of the events of the day, I have the honor to remain, with much respect, your obedient servant,

FRANCIS WINSLOW,
Lieutenant Commanding.

Flag-Officer WM. W. MCKEAN,
Commanding Gulf Blockading Squadron.

Commander Melancton Smith's report of an engagement with a rebel steamer, October 21.

UNITED STATES STEAMER MASSACHUSETTS,
At Ship Island, October 21, 1861.

SIR: I have respectfully to report that a rebel steamer, with a horizontal engine, made her first appearance in the Mississippi sound on the morning of the 19th instant, and after steaming up within six miles of the Massachusetts "slowed down" and fired a lee gun. I ordered steam immediately, and, after obtaining permission from Captain Powell to engage her, got under way with a full head of steam and approached the enemy as near as he would permit me to do, which matter he controlled entirely, having the advantage of great speed. At no time was the enemy less than one and three-fourths miles distant; hence the greatest elevation of the guns became necessary, and even then the majority of the shot fell short or exploded before reaching my target. I am of the opinion, however, that some of my shot and shell took effect, from the facts that the heavy gun was silenced after its third discharge, and the evident anxiety of my opponent to reach the shoal water, which he accomplished with most unbecoming speed.

The steamer is supposed to be the Florida, cut down and strengthened by log frames, and her armament judged to be six broadside guns and one 68-pound rifled pivot; the latter we had demonstrated to our satisfaction by the messenger itself. It entered the starboard side abaft the engine, five feet above the water-line, cutting through 18 plank of the main-deck, carried away the table, sofas, eight sections of iron steam-pipe, and exploded in the state-rooms on the port side, stripping the bulkheads of four rooms, and setting fire to the vessel. A fragment of the shell hit a timber, breaking all the outside planking from the main to the spar deck, a distance of 5½ feet. The missile that did the damage was exploded by a time fuse four inches long, the shell measuring 15 inches in length, 7 inches in diameter, with an internal cavity of 5 inches. Twelve pieces of the fragments have been collected and weigh 58 pounds. The engagement was continued until my ammunition was exhausted, and the enemy out of the range of my guns, making the best of his way towards Pass Christian, in shoal water, which rendered it impossible for me to pursue him further, as we were in 17 feet water and the Massachusetts drawing 14½ feet. Seventy-six projectiles and 455 pounds of powder were expended, and I am happy to inform you that during the engagement no one was hurt. It affords me great satisfaction to state that the officers and crew of this vessel did their whole duty fearlessly and with becoming zeal.

Very respectfully, your obedient servant,

MELANCTON SMITH,
Commander United States Navy.

Flag-Officer WM. W. MCKEAN,
Commanding United States Blockading Squadron, Gulf of Mexico.

Lieutenant A. Murray's report of the burning of a schooner in Swan's Cug creek, North Carolina, October 28.

UNITED STATES STEAMER LOUISIANA,
Chincoteague Inlet, October 28, 1861.

SIR: I have the honor to report that, in consequence of a rumor reaching me that a steam saw-mill at the mouth of Swan's Cug creek was getting out lumber for the construction of a battery to resist the advance of the federal troops, and also a floating battery to attack the Louisiana, I resolved to fit out an expedition, and if a closer view of the mill justified the rumor, to destroy it. Lieutenant A. Hopkins, the ex-officer of this vessel, was selected to command the party, and was also directed, in case he found the way clear, and appearances *not* justifying the destruction of the mill, to proceed up the creek and destroy any vessels that might be secreted there by the enemy.

It was a "night expedition," and, besides Mr. Hopkins, was composed of Master's Mate Hollis, Third Assistant Engineer McDaniels, twenty-five men from this vessel, and five volunteers from the island. It was creditably executed. The mill was closely inspected, and nothing appearing confirmatory of the report, it was spared. The party then proceeded up the creek a mile or more, where they found and destroyed by fire one schooner and two sloops.

The party left the ship in three boats at 10 p. m. last night, and returned at 4 o'clock this morning, all well. The whole thing appears to have been conducted with so much system and discretion, that the enemy, said to be three hundred strong in and about Horntown, was unconscious of our presence.

In connexion with this report, I will add that I am fully persuaded of the fidelity of these islanders, and would recommend their being armed and organized to assist in suppressing the insurrection on this peninsula. The activity of my little command is much impaired by the necessity of my close protection to Chincoteague.

I am, very respectfully, your obedient servant,

A. MURRAY,
Lieutenant Commanding.

Flag-Officer L. M. Goldsborough,
Commanding-in-chief N. A. Blockading Squadron, Hampton Roads.

Captain A. H. Foote's report of an engagement at Eddyville, Tennessee, October 30.

St. Louis, *October* 30, 1861.

Sir: The Conestoga, Lieutenant Commanding Phelps, has again been up the Tennessee river as far as Eddyville, 62 miles distant from Paducah, with three companies of the Illinois regiment, under command of Major Philips, and conjointly they have had a handsome and successful skirmish, in which the rebels broke and fled in every direction, leaving seven dead on the field. Our casualties consisted of two soldiers severely wounded and a few slightly so, among them a captain of a company.

Forty-four prisoners were taken from the enemy, also 7 negroes, 31 horses, 11 mules, 2 transportation wagons, a large number of saddles, muskets, rifles, shot-guns, sabres, knives, &c.

Lieutenant Commanding Phelps, and the officers and crew of the Conestoga, as well as Major Philips and his men, are deserving of the highest credit for their bearing in this expedition.

I have the honor to be, very respectfully, your obedient servant,

A. H. FOOTE,
Captain U. S. N., &c.

Hon. Gideon Welles,
Secretary of the Navy, Washington, D. C.

Flag-Officer A. H. Foote's report of an engagement at Belmont, Missouri, November 9.

UNITED STATES GUNBOAT LEXINGTON,
Off Cairo, November 9, 1861.

SIR: This communication conveys well-authenticated information, which I trust will excuse its great length as well as secure it an attentive perusal. I send herewith a report of Commander Walke, of the gunboat Taylor, showing the participation of that vessel, and the gunboat Lexington, Commander Stembel, in the attack on the batteries at Belmont, on the Mississippi river, this side of Columbus.

As a synopsis of this full and extended report, I may say that the gunboats rendered the most effective service on this occasion, having but one man killed and two wounded; in fact, I am informed, both by army and navy officers, that the boats, by covering the final retreat with well-directed fire of grape and canister, mowing down the enemy, prevented our troops from being almost, if not entirely, cut to pieces.

General Grant, the commanding general, informs me that there are 40,000 men and 108 guns of large calibre in Columbus and its vicinity, and that the rebels intend to make this point their principal stand against the movements of the gunboats and troops down the Mississippi river. A rifle shot weighing 90 pounds was picked up by one of our men, thrown a distance of three miles from one of the rebel batteries.

The demonstration down the river was intended rather as an armed reconnoissance than an attack on Columbus; in fact, mainly for the purpose of destroying the detachment which had crossed the river, and this was effected by capturing the cannon and burning the tents and baggage, the latter accomplished by Quartermaster Hatch with a detachment of men. This movement, it is believed, has prevented, for the present at least, a junction with General Price in Southwest Missouri, also the detachments being cut off which have been sent from here to attack Jeff Thompson, as well as establishing the fact of Columbus being so strongly fortified that a large land force must co-operate with the gunboats in order to move successfully beyond this point down the Mississippi river. On the other hand, General Grant is impressed with the idea that the rebels may retaliate by an attempt to seize "Bird's Point" or "Fort Holt," in this immediate vicinity, and, in view of this, wants early reinforcements of well-equipped regiments. The general estimates the loss on our side at 250 killed, wounded, and missing, and the enemy's loss in killed alone at 300. My opinion is, after careful inquiry, as stragglers are still coming in, that our loss of killed, wounded, and missing will amount to five hundred persons, together with 25 baggage wagons, 100 horses, 1,000 overcoats, and 1,000 blankets. The men fought with great gallantry, and Generals Grant and McClernand had their horses shot under them; and had not the troops been flushed with their early success, and commenced looting, instead of being prepared to retire when the object of the expedition was accomplished, they might have left with comparatively little loss, but the delay gave the enemy time to cross from Columbus in great force, and hence the comparative disastrous termination in the withdrawal of our forces. * * *

I have the honor to be, very respectfully, your obedient servant,

A. H. FOOTE,
Commanding Naval Forces Western Waters.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

Commander W. A. Parker's report of the burning of a vessel at Curritoman creek, and an engagement with the rebels, November 9.

United States Steamer Cambridge,
Rappahannock River, November 9, 1861

Sir: I have the honor to report that on the 6th instant I ordered a detachment of 30 men from this vessel, under the command of Lieutenant Given, assisted by Acting Masters Eldredge and Strong, and Midshipman Cushing, to proceed in the United States steamer Rescue to the Curritoman creek and capture a schooner reported to me to be loaded with firewood, and, in the event of not succeeding in this, to burn her.

The schooner was found to be hard and fast ashore, and as it was impossible to move her, she was burned, in obedience to my orders to this effect, together with a large quantity of firewood piled upon her.

No resistance was met with until the Rescue began to return, when a body of rebel troops, armed with rifles, on both sides of the creek, supposed to be about 130 in number, with a rifled cannon in masked battery, attacked her, but without effecting much damage to our party. The rebels were concealed by thick underbrush and a house, from which they fired. Acting Master Strong was struck with a spent rifle ball, but not severely hurt, and no other person was wounded. The expedition was perfectly successful, and the duty performed in a spirited and brilliant manner.

The detachment returned to this vessel about 5 p. m., having been absent on this duy a little more than four hours.

I herewith forward Lieutenant Given's report of the affair.

I have also to report that, having been informed by a contraband that there were three rebel troops encamped at the town or Urbana, near a large magazine of powder, I proceeded on the 8th instant to that place, and endeavored to dislodge them and blow up the magazine with our battery, assisted by the Rescue. After bombarding the encampment for an hour and a half the magazine was perforated several times with our shot and shells, but we were unable to destroy it, the depth of water not allowing us to approach the enemy nearer than one mile and a half.

The rebels did not reply except by musketry, when a boat from the Rescue attempted to approach the shore. There were no casualties in this action on our side.

Since our arrival in this river this vessel has been actively engaged in maintaining the blockade.

Respectfully your obedient servant,

WM. A. PARKER,
Commander.

Flag-Officer L. M. Goldsborough,
Commanding U. S. A. B. Squadron, Hampton Roads.

Lieutenant T. S. Phelps's report of an engagement with a rebel steamer at Hatteras Inlet, November 14.

United States Coast Survey Steamer Corwin,
Hatteras Inlet, November 14, 1861.

Dear Sir: I have to report that about one o'clock p. m., this instant, during the absence of the naval force stationed here, the rebel steamer Curlew, Captain T. T. Hunter, (or a steamer of the same appearance,) stood in round the outer bulkhead buoy, and opened fire on this vessel with a heavy rifled gun, to which we replied with both of our 6-pounders. Our second shot struck within a few yards of her, when she steamed to the westward about ten minutes, and then returned and commenced firing a second time, which was warmly responded to on our part; but on three of our shots either passing *into* or *over* her, she started ahead, steaming out of range and up the sound.

The rebels' shot fell short, though their range was good, and the greatest distance reached by our projectiles was about *four* (4) nautical miles, made by the last shot while the enemy were in full retreat. This desirable result was obtained by raising the forward trucks, giving about 25 degrees elevation.

This apparently was the same steamer that appeared off this place on the 28th ult., then supposed to be the Winslow, but now known to have been the Curlew.

I am pleased to inform you that this is the second time our guns have driven away an enemy of superior force, who had it in his power to choose his position (which we were unable to do) from a long range to an easy shooting distance; and it is with peculiar pleasure that I inform you of the gallant bearing and enthusiasm of the officers and crew when ordered to prepare for battle, and during the presence of the enemy, who, they were conscious, possessed a much superior armament, and by his bold approach seemed disposed to close where it would be entirely effective on this vessel, and still be beyond the reach of the guns of the fort.

I am, respectfully, your obedient servant,

THOMAS S. PHELPS,
Lieutenant Commanding United States Navy,
Assistant Coast Survey.

Prof. A. D. BACHE, L. L. D.,
Superintendent of the United States Coast Survey.

Flag-Officer S. F. DuPont's report of expedition to Port Royal, November 14.

FLAG-SHIP WABASH,
Off Hilton Head, Port Royal Harbor, November 6, 1861.

SIR: The government having determined to seize and occupy one or more important points upon our southern coast, where our squadrons might find shelter, possess a depot, and afford protection to loyal citizens, committed to my discretion the selection from among those places, which it thought most available and desirable for these purposes.

After mature deliberation, aided by the professional knowledge and great intelligence of the Assistant Secretary, Mr. Fox, and upon taking into consideration the magnitude to which the joint naval and military expedition had been extended, to which you have called my attention, I came to the conclusion that the original intention of the department, if first carried out, would fall short of the expectations of the country and of the capabilities of the expedition; while Port Royal, I thought, would meet both in a high degree.

I therefore submitted to Brigadier General Sherman, commanding the military part of the expedition, this modification of our earliest matured plans, and had the satisfaction to receive his full concurrence, though he and the commanders of brigades very justly laid great stress on the necessity, if possible, of getting this frigate into the harbor of Port Royal.

On Tuesday, the 29th of October, the fleet under my command left Hampton Roads, and, with the army transports, numbered fifty vessels. On the day previous I had despatched he coal vessels, twenty-five in all, under convoy of the Vandalia, Commander Haggerty, to rendezvous off Savannah, not wishing to give the true point.

The weather had been unsettled in Hampton Roads, though it promised well when we sailed; but off Hatteras it blew hard; some ships got into the breakers and two struck, but without injury.

On Friday, the 1st of November, rough weather soon increased into a gale, and we had to encounter one of great violence from the southeast, a portion of which approached to a hurricane. The fleet was utterly dispersed, and on Saturday morning one sail only was in sight from the deck of the Wabash.

On the following day the weather moderated and the steamers and ships began to reappear. Orders (not to be opened except in case of separation) were furnished to all the men-of-war by myself, and to the transports by Brigadier General Sherman.

As the vessels rejoined, reports came in of disasters. I expected to hear of many, but when the severity of the gale and the character of the vessels are considered, we have only cause for great thankfulness.

In reference to the men-of-war, the Isaac Smith, a most efficient and well armed vessel for the class purchased, but not intended to encounter such sea and wind, had to throw her formidable battery overboard to keep from foundering, but thus relieved, Lieutenant Commanding Nicholson was enabled to go to the assistance of the chartered steamer Governor, then in a very dangerous condition, and on board of which was our fine battalion of marines, under Major Reynolds. They were finally rescued by Captain Ringgold, in the Sabine, under difficult circumstances, soon after which the Governor went down. I believe seven of the marines were drowned by their own imprudence. Lieutenant Commanding Nicholson's conduct in the Isaac Smith has met with my warm commendation.

The Peerless transport, in a sinking condition, was met by the Mohican, Commander Gordon. All the people on board, twenty-six in number, were saved under very perilous circumstances, in which service Lieutenant H. W. Miller was very favorably noticed by his commander.

On passing Charleston I sent in the Seneca, Lieutenant Commanding Ammen, to direct Captain Lardner to join me with the steamer Susquehanna off Port Royal without delay. On Monday, at 8 o'clock in the morning, I anchored off the bar with some twenty-five vessels in company, with many more heaving in sight.

The department is aware that all the aids to navigation had been removed, and the bar lies ten miles seaward, with no features on the shore-line of sufficient prominence to make any bearings reliable. But to the skill of Commander Davis, the fleet captain, and Mr. Boutelle, the able assistant of the Coast Survey, in charge of the steamer Vixen, the channel was immediately found, sounded out, and buoyed. By 3 o'clock I received assurances from Captain Davis that I could send forward the lighter transports—those under eighteen feet—with all the gunboats, which was immediately done; and before dark they were securely anchored in the roadstead of Port Royal, South Carolina. The gunboats almost immediately opened their batteries upon two or three rebel steamers under Commodore Tatnall, instantly chasing him under the shelter of the batteries.

In the morning Commander John Rogers, of the United States steamer Flag, temporarily on board this ship and acting on my staff, accompanied by Brigadier General Wright, in the gunboat Ottawa, (Lieutenant Commanding Stevens,) and supported by the Seneca, (Lieutenant Commanding Ammen,) the Curlew, (Acting Lieutenant Commanding Watmough,) and the Isaac Smith, (Lieutenant Commanding Nicholson,) made a reconnoisance in force, and drew the fire of the batteries on Hilton Head and Bay Point sufficiently to show that the fortifications were works of strength and scientifically constructed. In the evening of

Monday, Captain Davis and Mr. Boutelle reported water enough for the Wabash to enter in.

The responsibility of hazarding so noble a frigate was not a slight one. Over a prolonged bar of over two miles there was but a foot or two of water to spare; and the fall and rise of tide is such, that if she had grounded she would have sustained most serious injury from straining, if not totally lost. Too much, however, was at stake to hesitate, and the result was entirely successful.

On the morning of Tuesday the Wabash crossed the bar, followed closely by the frigate Susquehanna, the Atlantic, Vanderbilt, and other transports of deep draught; and on running through a portion of the fleet already in, the safe passage of this great ship over the bar was hailed by gratifying cheers from the crowded vessels.

We anchored and immediately commenced preparing the ship for action, but the delay of planting buoys, particularly on the Fishing Rip, a dangerous shoal we had to avoid, rendered the hour late before it was possible to move with the attacking squadron. In our anxiety to get the outline of the forts before dark, we stood in too near this shoal, and the ship grounded. By the time she was gotten off, it was too late, in my judgment, to proceed, and I made signal for the squadron to anchor out of gunshot from the enemy.

To-day the wind blows a gale from the southward and westward, and the attack is unavoidably postponed.

I have the honor to be, sir, respectfully, your obedient servant,

S. F. DUPONT,
Flag-Officer Commanding South Atlantic Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy.

FLAG-SHIP WABASH,
Off Hilton Head, Port Royal Harbor, November 8, 1861.

SIR: I have the honor to inform you that yesterday I attacked the enemy's batteries on Bay Point and Hilton Head, (Forts Beauregard and Walker,) and succeeded in silencing them after an engagement of four hours' duration, and driving away the squadron of rebel steamers under Commodore Tatnall. The reconnoissance of yesterday made us acquainted with the superiority of Fort Walker, and to that I directed my special efforts, engaging it at a distance of first eight and afterwards six hundred yards. But the plan of attack brought the squadron sufficiently near Fort Beauregard to receive its fire, and the ships were frequently fighting the batteries on both sides at the same time.

The action was begun on my part at twenty-six minutes after nine; and at half past two the American ensign was hoisted on the flag-staff of Fort Walker, and this morning at sunrise on that of Fort Beauregard.

The defeat of the enemy terminated in utter route and confusion. Their quarters and encampments were abandoned without an attempt to carry away either public or private property. The ground over which they fled was strewn with the arms of private soldiers, and officers retired in too much haste to submit to the encumbrance of their swords.

Landing my marines and a company of seamen, I took possession of the deserted ground and held the forts on Hilton Head till the arrival of General Sherman, to whom I had the honor to transfer its occupation.

We have captured forty-three pieces of cannon, most of them of the heaviest calibre and of the most improved description.

The bearer of these despatches will have the honor to carry with him the captured flags and two small brass field pieces lately belonging to the State of South

Carolina, which are sent home as suitable trophies of the success of the day. I enclose herewith a copy of the general order which is to be read in the fleet to-morrow morning at muster. A detailed account of this battle will be submitted hereafter.

I have the honor to be, very respectfully, your most obedient servant,

S. F. DUPONT,

Flag-Officer Commanding South Atlantic Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington.

P. S.—Bearer of despatches will also carry with him the first American ensign raised upon the soil of South Carolina since the rebellion broke out.

S. F. D.

GENERAL ORDER NO. 2.

FLAG-SHIP WABASH,
Hilton Head, Port Royal Bay, November 8, 1861.

It is the grateful duty of the commander-in-chief to make a public acknowledgment of his entire commendation of the coolness, discipline, skill, and gallantry displayed by the officers and men under his command in the capture of the batteries on Hilton Head and Bay Point, after an action of four hours duration.

The flag-officer fully sympathizes with the officers and men of the squadron in the satisfaction they must feel at seeing the ensign of the Union flying once more in the State of South Carolina, which has been the chief promoter of the wicked and unprovoked rebellion they have been called upon to suppress.

S. F. DUPONT,

Flag-Officer Commanding South Atlantic Blockading Squadron.

FLAG-SHIP WABASH,
Off Hilton Head, Port Royal Harbor, November 8, 1861.

SIR: I have to report the following casualties in the action of yesterday, in the capture of the batteries at Hilton Head and Bay Point:

Wabash.—Killed, 1, (Thomas Jackson, coxswain, captain of a gun.) Slightly wounded, 2, (Alfred Hornsby, seaman, and William Wall, seaman.)

Susquehanna.—Killed, 2, (John P. Clark, ordinary seaman, and William Price, second coal-heaver.) Wounded severely, 1, (Samuel F. Smart, first-class boy.) Wounded slightly, 2, (Patrick Dwyer, ordinary seaman, and Samuel Holbrook, second gunner.)

Pawnee.—Killed, 2, (John Kelly, ordinary seaman, and W. H. Fitzhugh, second-class boy.) Wounded slightly, 3, (Alfred Washburn, master's mate, Jacob Hanse, ordinary seaman, and Patrick Quinn, ordinary seaman.)

Ottawa.—Severely wounded, 2, (H. C. Keen, acting master, and Tabor Green, seaman.) Slightly wounded, 3, (—— Hutchinson, seaman, —— Dillon, boy, and Morris Welsh, landsman.)

Mohican.—Killed, 1, (John A. Whittemore, third assistant engineer.) Wounded seriously, 3, (W. Thompson, Isaac Seyburn, acting master, and Sherman Barcomb, ordinary seaman.) Wounded slightly, 4, (Mayland Cuthbert, third assistant engineer, John O. Pitman, master's mate, John W. Townsend, ordinary seaman, and Charles Brown, ordinary seaman.)

Bienville.— Killed, 2, (Patrick McGuigan and Alexander Chambers.) Wounded slightly, 3, (Peter Murphy, Alexander Finey, and William Gilchrist.)

Seminole.—A few slightly wounded, (not reported.)

Total killed	8
Wounded seriously	6
Wounded slightly	17
Killed and wounded	31

I have the honor to be, respectfully, &c.,

S. F. DUPONT,
Flag-Officer Commanding South Atlantic Blockading Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington.

UNITED STATES FLAG-SHIP WABASH,
Port Royal Harbor, South Carolina, November 11, 1861.

SIR: I have now the honor to submit the following detailed account of the action of the 7th of November:

From the reconnoissance of the 5th we were led to believe that the forts on Bay Point and Hilton Head were armed with more than twenty guns each, of the heaviest calibre and longest range, and were well constructed and well manned, but that the one on Hilton Head was the strongest. The distance between them is two and two-tenths nautical miles—too great to admit of their being advantageously engaged at the same time, except at long shot. I resolved, therefore, to undertake the reduction of Hilton Head (or, as I shall hereafter call it, Fort Walker) first, and afterwards to turn my attention to Fort Beauregard—the fort on Bay Point. The greater part of the guns of Fort Walker were presented upon two water fronts, and the flanks were but slightly guarded, especially on the north, on which side the approach of an enemy had not been looked for.

A fleet of the enemy, consisting of seven steamers, armed, but to what extent I was not informed further than that they carried rifled guns, occupied the northern portion of the harbor, and stretched along from the mouth of Beaufort river to Scull creek.

It was high water on the 7th instant at 11*h.* 35*m.* a. m. by the tables of the Coast Survey.

These circumstances, the superiority of Fort Walker, and its weakness on the northern flank, the presence of the rebel fleet, and the flood tide of the morning, decided the plan of attack and the order of battle.

The order of battle comprised a main squadron ranged in a line ahead, and a flanking squadron, which was to be thrown off on the northern section of the harbor to engage the enemy's flotilla, and prevent them taking the rear ships of the main line when it turned to the southward, or cutting off a disabled vessel.

The main squadron consisted of the frigate Wabash, Commander C. R. P. Rodgers, the leading ship; the frigate Susquehanna, Captain J. L. Lardner; the sloop Mohican, Commander L. W. Gordon; the sloop Seminole, Commander J. P. Gillis; the sloop Pawnee, Lieutenant Commanding R. H. Wyman; the gunboat Unadilla, Lieutenant Commanding N. Collins; the gunboat Ottawa, Lieutenant Commanding T. H. Stevens; the gunboat Pembina, Lieutenant Commanding J. P. Bankhead, and the sailing sloop Vandalia, Commander F. S. Haggerty, towed by the Isaac Smith, Lieutenant Commanding J. W. A. Nicholson.

The flanking squadron consisted of the gunboat Bienville, Commander Charles Steedman, the leading ship; the gunboat Seneca, Lieutenant Commanding Daniel Ammen; the gunboat Curlew, Lieutenant Commanding P. G. Watmough; the gunboat Penguin, Lieutenant Commanding T. A. Budd, and the gunboat Augusta, Commander E. G. Parrott, the closing ship of that line.

The plan of attack was to pass up midway between Forts Walker and Beauregard (receiving and returning the fire of both) to a certain distance about two and a half miles north of the latter. At that point the line was to turn to the south, round by the west, and close in with Fort Walker, encountering it on its weakest flank, and at the same time enfilading, in nearly a direct line, its two water faces. While standing to the southward, the vessels of the line were head to tide, which kept them under command, whilst the rate of going was diminished.

When abreast of the fort, the engine was to be slowed, and the movement reduced to only as much as would be just sufficient to overcome the tide, to preserve the order of battle by passing the batteries in slow succession, and to avoid becoming a fixed mark for the enemy's fire. On reaching the extremity of Hilton Head and the shoal ground making off from it, the line was to turn to the north by the east, and, passing to the northward, to engage Fort Walker with the port battery nearer than when first on the same course. These evolutions were to be repeated. The accompanying plan will explain the preceding description.

The captains of the ships had been called on board and instructed as to the general formation of the lines and their own respective places.

At 8 o'clock the signal was made to get under way. At 8*h.* 10*m.* the ship, riding to the flood, tripped her anchor; and at 8*h.* 30*m.* the ship turned, and was headed in for the forts. At 9 the signal was made for close order. At 9*h.* 26*m.* the action was commenced by a gun from Fort Walker, immediately followed by another from Fort Beauregard. This was answered at once from this ship, and immediately after from the Susquehanna. At 10 o'clock the leading ship of the line turned to the southward, and made signal to the Vandalia (which ship, in tow of the Isaac Smith, was dropping astern, and was exposed, without support, to the fire of Fort Beauregard) to join company. At 10*h.* 15*m.* the signal was made for closer action, the Wabash slowly passing Fort Walker at a distance, when abreast, of eight hundred yards. At 11 the signal was made to get into and preserve stations, and at 11*h.* 15*m.* to follow the motions of the commander-in-chief.

Standing to the northward nearly in the line shown in the diagram, the ship's head was again turned to the southward, and she passed the guns of Fort Walker at a distance less than six hundred yards, (the sights were adjusted to five hundred and fifty yards.) At 11*h.* 30*m.* the enemy's flag was shot away.

The second fire with the starboard guns of the Wabash and of Captain Lardner, in the Susquehanna, my second in command, who always kept so near as to give me the entire support of his formidable battery, seems, at this short distance, to have discomforted the enemy. Its effect was increased by the shells thrown from the smaller vessels at the enfilading point. It was evident that the enemy's fire was becoming much less frequent, and finally it was kept up at such long intervals and with so few guns as to be of little consequence.

After the Wabash and Susquehanna had passed to the northward and given the fort the fire of their port battery the third time, the enemy had entirely ceased to reply and the battle was ended.

At 1*h.* 15*m.* the Ottawa signalled that the works at Hilton Head were abandoned. This information was, a few minutes later, repeated by the Pembina, As soon as the starboard guns of this ship and the Susquehanna had been brought to bear a third time upon Fort Walker, I sent Commander John Rodgers on shore with a flag of truce. The hasty flight of the enemy was visible, and was reported from the tops. At twenty minutes after two Captain Rodgers hoisted the flag of the Union over the deserted post. At forty-five minutes after two I anchored and sent Commander C. R. P. Rodgers on shore with the marines and a party of seamen to take possession, and prevent, if necessary, the destruction of public property.

The transports now got under way and came up rapidly, and by nightfall Brigadier General Wright's brigade had landed and entered upon the occupation of the ground.

I have said, in the beginning of this report, that the plan of attack designed making the reduction of Fort Walker the business of the day. In passing to the northward, however, we had improved every opportunity of firing at long range upon Fort Beauregard. As soon as the fate of Fort Walker was decided, I despatched a small squadron to Fort Beauregard to reconnoitre and ascertain its condition, and to prevent the rebel steamers returning to carry away either persons or property.

Near sunset it was discovered that the flag upon this fort was hauled down, and that the fort was apparently abandoned.

At sunrise, the next day, the American ensign was hoisted on the flag-staff of Fort Beauregard by Lieutenant Commanding Ammen.

The Pocahontas, Commander Percival Drayton, had suffered from the gale of Friday night so badly as not to be able to enter Port Royal until the morning of the 7th. He reached the scene of action about 12 o'clock, and rendered gallant service by engaging the batteries on both sides in succession.

Lieutenant Commanding H. L. Newcombe, of the R. B. Forbes, which vessel had been employed in towing in the Great Republic, arrived in time to take good part in the action.

And finally the tug Mercury, Acting Master Martin commanding, employed his single Parrott gun with skill and effect.

After congratulating you upon the success thus far of our expedition, which had its origin in the counsels of the department, and which the department has fostered and labored to render efficient, the gratifying duty remains to be performed of according to each and all their due share of praise for good conduct in their encounter with the enemy. This duty, though most welcome, is still delicate.

I am well aware that each one did his part in his place, and when I discriminate it is in cases that necessarily fell under my own immediate observation.

I have no doubt that all would have embraced and improved the same opportunities of distinction; and in noticing those who were made prominent by their stations, or who were near me during the action, I am showing no invidious preference.

The "General Order No. 2," already forwarded to the department, expressed in general terms my commendation of the gallantry and skill of the officers and men.

The reports of the commanding officers of the several ships, herewith enclosed, do justice to those under them, while the results speak for the commanding officers themselves. The names of the latter are mentioned in the beginning of this despatch. I refer with pleasure to them again. They did their duty to my satisfaction, and I am most happy to bear testimony to their zeal and ability.

The officers of this ship, to whom I am deeply indebted, will be mentioned by her commander, C. R. P. Rodgers, in his special report.

It affords me the highest gratification to speak of the manner in which this ship was handled during the engagement, owing, in a great measure, to the professional skill, the calm and rapid judgment, and the excellent management of Commander C. R. P. Rodgers. His attention was divided between this duty and the effective service of the guns, which involved the estimation of distances the regulation of fuses, and the general supervision of the divisions. His conduct and judicious control of everything within the sphere of his duty, though no more than was to be expected from his established reputation, impressed me with a higher estimation than ever of his attainments and character.

I had also an opportunity to remark the admirable coolness and discrimination of the first lieutenant, T. G. Corbin. The good order, discipline and efficiency, in every respect, of this ship, are to a great extent the results of his labors as executive officer, and they were conspicuous on this occasion.

Acting Master Stiles, acting as pilot, was devoted and intelligent in the performance of his duties; and the third assistant engineer, Missieveer, who attended the bell, was prompt and always correct.

Acting Master S. W. Preston, acting as my flag-lieutenant, displayed throughout the day an undisturbed intelligence and a quick and general observation, which proved very useful. His duties as signal officer were performed without mistake. This gentleman, and the young officers, Mr. R. H. Samson, Mr. J. P. Robertson, and Mr. J. H. Rowland, who were also under my eye, in immediate command of the pivot guns and spar-deck divisions, sustained the reputation and exhibited the benefits of the Naval Academy, the training of which only could make such valuable officers of such young men.

Commander John Rodgers, a passenger in this ship, going to take command of the steamer Flag, volunteered to act upon my staff. It would be difficult for me to enumerate the duties he performed, they were so numerous and various, and he brought to them all an invincible energy and the highest order of professional knowledge and merit. I was glad to show my appreciation of his great services by allowing him the honor to hoist the first American flag on the rebellious soil of South Carolina.

My secretary, Mr. Alexander McKinley, was by my side throughout the engagement, making memoranda under my direction. He evinced the same cool bravery which he once before had an opportunity of showing under fire in a foreign land. It gives me pleasure to mention him here as a gentleman of intelligence, of great worth, and of heartfelt devotion to his country.

I have yet to speak of the chief of my staff and fleet-captain, Commander Charles H. Davis. In the organization of our large fleet before sailing, and in the preparation and systematic arrangement of the details of our contemplated work—in short, in all the duties pertaining to the flag-officer—I received his most valuable assistance. He possesses the rare quality of being a man of science and a practical officer, keeping the love of science subordinate to the regular duties of his profession. During the action he watched over the movements of the fleet, kept the official minutes, and evinced that calmness in danger which, to my knowledge, for thirty years has been a conspicuous trait in his character.

I have the honor to be, sir, respectfully, your most obedient servant,

S. F. DUPONT,
Flag-Officer Commanding South Atlantic Blockading Squadron.

HON. GIDEON WELLES,
Secretary of the Navy, Washington.

UNITED STATES STEAMER WABASH,
Port Royal, November 10, 1861.

SIR: Although I know that the conduct of the officers and crew of the Wabash was closely observed and warmly commended by you during the action of the 7th instant, yet, in obedience to your demand for a special report, I respectfully submit the following:

The men did their duty, as became American seamen, with calmness, precision, and resolute earnestness. They fought their guns with energy, and pointed them with admirable coolness.

The three gun-deck divisions of nine-inch guns, under Lieutenants Upshur, Luce, and Barnes, were commanded by those officers in a manner which illustrated the highest power both of men and guns, and exhibited the greatest effect of manhood and training. I beg leave to commend these officers in terms of the warmest praise, both for skill and conduct, and also Lieutenant Irwin, who, in command of the powder division, did everything that a brave and earnest man could do to make his ship efficient.

Acting Masters Samson, Roland, and Robertson, in command of the spar-deck guns, followed the example of their seniors upon the gun-deck, and did honor to the naval school which had, at their early age, trained them to do such efficient service in battle.

Acting Masters W. H. West, Rockwell, Gregory, and Palmer, stationed at the various divisions, evinced patriotic zeal and courage.

Mr. Coghlan, the boatswain, not only did his duty in the 6th division, but skilfully served the rifled boat guns, with which he did good service.

The gunner, Mr. Stewart, in the magazine, and the carpenter, Mr. Boardman, with his shot plugs, did their duty manfully.

The engine and steam, during the whole action, were managed with consummate skill, which did great credit to Chief Engineer King and his assistants. Third Assistant Engineer Missieveer, who stood upon the bridge by my side during the action, impressed me very favorably by his cool intelligence and promptness.

All the other officers, in their various departments, did their whole duty faithfully.

Acting Master Stiles rendered most valuable service by his careful attention to the steerage and soundings of the vessel, and by his skill and vigilance in keeping the ship clear of the shoals. I desire to commend him especially to your notice.

My clerk, Mr. Blydenburgh, acted as my aid, and did prompt and good service.

The two oldest seamen in the ship, John Dennis and Henry L. Coons, both quartermasters—the one at the wheel and the other at the signals—well represented the gallantry of their class and generation.

The marines were used as a reserve, and whenever called upon rendered prompt assistance at the guns, with the good conduct which has always characterized their corps.

It remains only for me to speak of the executive officer, Lieutenant Corbin, who has filled that post since the Wabash was commissioned. The admirable training of the crew may, in a high degree, be attributed to his professional merit; and his gallant bearing and conspicuous conduct throughout the whole action were good illustrations of the best type of a sea officer.

At the close of the action the Wabash was engaged with Fort Walker, at a distance of six hundred yards or less; and her officers and men may well feel satisfied with the precision of their aim and the overwhelming power of their rapid fire. Eight hundred and eighty shells were fired from her guns, chiefly with five-second fuses. Some grape was fired with good effect from the ten-inch gun in the latter part of the action.

I have to thank that most brave and distinguished officer, Captain C. H. Davis, the captain of the fleet, for the aid he gave me when not engrossed by the important duties of his special station; and I desire to pay the same tribute to Commander John Rodgers, who, being a passenger on board, had volunteered to serve upon your staff, and never failed to give me most valuable assistance. Nor must I fail to bear witness to the gallant bearing and striking coolness of your young flag-lieutenant, Mr. Preston.

I thank you, sir, in the name of the officers and men of your flag-ship, for the example you gave us.

I have the honor to be, very respectfully, your obedient servant,

C. R. P. RODGERS,
Lieutenant Commanding U. S. Steamer Wabash.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron.

United States Steam Frigate Wabash,
Port Royal, November 8, 1861,

Sir: In obedience to your order I have this day made a careful examination of the guns and munitions of war mounted and contained within Fort Walker, so called, and situated upon Hilton Head, in this harbor, and have to report as follows:

Upon the sea front of said fort there are mounted upon the best improved modern barbette carriages, circular railways, the following guns:

One 6-inch rifled gun. Marks: J. R. A. & Co., T. F., 1861, C. S. A. Palmetto coat of arms on front of sight, (right angle sea face,) in good order.

Six 32-pounders, of 62 hundred weight each, 1845, navy pattern, of which one has the cascabel knocked off; three are dismounted, and carriages ruined. All loaded and generally in good order.

One 10-inch columbiad, 13,220 pounds weight. Marks: J. R. A. & Co., T. F., 1861. Palmetto coat of arms. C. S. A., 1861, in good order.

One 8-inch columbiad, 9,018 pounds. Marks: J. R. A. & Co., T. F., 1861, C. S. A.

Three sea-coast howitzers, 7-inch, 1,600 pounds weight. old army pattern, in good order, *loaded;* one spiked with priming wire; marked "Charleston, with great haste."

One rifled 6-inch, in good order, *loaded;* marked J. R. A. & Co., T. F., 1861, C. S. A., (in left angle of sea front.) At or surrounding each gun ammunition is placed in great profusion; five large chests filled with powder for the various guns in front of them; shot, shell, and rifled projectiles are scattered about without limit. In the centre of the fort are two furnaces for hot shot, and one pump with water.

In the left wing are—

One 32-pounder, same class as others before mentioned,

One sea-coast howitzer, 42-pounder, not mounted; all in good order.

Outer work, in rear, commanding land approach, are mounted—

Two 32-pounders, marked S. C., 1851 and 1827, loaded with canister by our men, after taking possession, to command land approach; in good order.

One 8-inch heavy howitzer, mounted on navy carriage, loaded with canister, just put up, commanding approach to angle of outer work—the only gun in embrasure; ammunition chest full; grape and canister surrounding gun.

One English siege gun, marked with broad arrow and G. R. and crown; 12-pounder behind embankment at right of right wing.

One ditto, mounted to the right of the magazine to command the ditch of the main work.

In the right wing are mounted—

Three 32-pounders, same class as others before mentioned.

Making a total of 23 guns.

There are also in the covered way, leading to the shell room and magazine, about 250 10-inch, 100 8-inch shell, some loaded and fixed with sabots and straps; 50 42-pounder shot, 50 boxes (four shell in each) rifled 6-inch shell of three patterns; 300 8-inch and 6-inch canister, rammers, sponges, accoutrements, primers, and tools of all descriptions.

The magazine door being locked, I was unable to enter without destroying the door.

In all there are mounted twenty-three guns of heavy calibre; all of which are in good condition and serviceable.

I am, very respectfully, your obedient servant,

JOHN S. BARNES, *Lieutenant.*

C. R. P. Rodgers, Esq.,
Commanding U. S. ship Wabash.

United States Steamer Wabash,
Port Royal, November 8, 1861.

Sir: After the action yesterday, in obedience to your order, I occupied the fortification at Hilton Head with small-arm men and marines of the Wabash, and held it until the brigade of General Wright had landed, when I delivered it to that officer with its munitions of war. It is known as Fort Walker, and is an enclosed work, with two water fronts, upon which are mounted, en barbette, eight and ten inch columbiads, rifled eighty-pounders, and very heavy thirty-two-pounders. There is a traverse in rear of each gun. The land front is regularly bastioned, and connected with water fronts by curtains flanked from the land side; a gun in the salient of each bastion en barbette, and one on each flank in embrasure. There are three demi-lune in front of curtains on land front, mounting three guns. There are two hot-shot furnaces, in which were found hot-shot. There are also bomb-proofs.

I found near Fort Walker the tents and baggage of its garrison, some muskets, and a large quantity of excellent ammunition.

Six dead men, left by the enemy, were buried by the chaplain of the Wabash. The wounded had been removed.

I sent on board the Wabash four prisoners found near the fort.

This morning, in obedience to your order, I visited Fort Beauregard, on Bay Point, upon which Lieutenant Commanding Ammen, of the Seneca, had hoisted the flag of the Union. I found it defended by an enclosed work mounted with eighteen heavy cannon, some of them columbiads, and one rifled. I also found large quantities of ammunition and much baggage. A large camp, a mile from the fort, had been hastily abandoned; the tents were standing, and much baggage and some arms remained in it.

I desired Lieutenant Barnes, of this ship, to make a careful inventory of the cannon in both forts, and I respectfully enclose his reports.

I have the honor to be, very respectfully, your obedient servant,

C. R. P. RODGERS,
Lieutenant Commanding United States Steamer Wabash.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron.

United States Steam Frigate Wabash,
Port Royal, S. C., November 9, 1861.

Sir: In compliance with your order of yesterday, I have this day visited the fort known as Fort Beauregard, situated upon Bay Point, and there instituted a careful survey of the ordnance and ammunition contained in and lying about the fort, and have to report as follows:

The fort has four faces upon which guns are mounted, each face looking on the water, and each gun so mounted as to command the water approach to Broad and Beaufort rivers. The guns are thirteen in number, of the following sizes:

Five 32s, navy pattern 1845, all in good order.

One rifled 6-inch, new, marked C. S. A., 1861, J. R. A. & Co., T. F. Gun burst, and carriage destroyed.

Five sea-coast guns, 42-pounders, long and very heavy, all in good order.

One 10-inch columbiad, marked C. S. A., 1861, J. R. A. & Co., T. F.; Palmetto coat-of-arms. Weight 13,226 pounds. Spiked with steel spike, and loaded.

One 8-inch columbiad, same marks as the 10-inch, in good order.

There is also upon each flank of the main works, at a distance of about one hundred and fifty yards from it, a small work, built to command the land approach along the beach, as well as the channel abreast. These outer works are connected by earth-works with the main fort.

Upon the outer works on the left flank are mounted two 24-pounders in good order, marked S. C. Upon the outer works on the right flank are mounted three 32-pounders, sixty-three hundred-weight, navy pattern 1845, all in good order.

Within the fort are also two field-pieces, 6-pounders, old Spanish pattern.

Making, in all, twenty pieces of ordnance, of the classes as above enumerated.

Within the fort I found a great amount of ammunition scattered about in disorder. In the shell room were several hundred shells, filled and fused for the various sizes of guns. The magazine is filled with powder, put up in cylinders ready for use; the powder appears to be of most excellent quality. There are two furnaces for heating shot, both filled with shot, some of them partly melted. The ammunition chests are nearly full of powder. In a pool of water in the rear large quantities of ammunition are lying, where it was thrown by the enemy before retreating.

I am, very respectfully, your obedient servant,

JOHN S. BARNES,
Acting Lieutenant.

C. R. P. RODGERS, Esq.,
Commanding United States Steamer Wabash.

U. S. FLAG-SHIP WABASH,
Off Hilton Head, November 8, 1861.

SIR: In the action of yesterday Thomas Jackson, coxswain, was killed at his gun while doing his duty gallantly as its captain. Alfred Hornsby, seaman, and William Hall, ordinary seaman, were wounded, but are doing well.

The Wabash was much cut up in her rigging; twenty injuries to it having been reported. Her spars and hull were struck nine times. A shot from an 80-pounder rifled cannon passed directly through the centre of the mainmast, about twelve feet above the rail. Another shot struck the forward part of the same mast, carrying away the forward chafing batten. We have two shots in the water line, one of which makes a leak in the after magazine passage.

The spanker-boom was shot away, as was also the starboard lower boom and spare main-topsail yard. The other shots struck the rail, the sides, and the deck.

The mainmast is much injured, but I hope to secure it for good service. I attribute the safety of the ship to the short distance at which she engaged Fort Walker, the enemy's shot passing over us.

I have the honor to be, very respectfully, your obedient servant,

C. R. P. RODGERS,
Commanding U. S. Steamship Wabash.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron.

U. S. Steamer Susquehanna,
Hilton Head, November 8, 1861.

Sir: I have the honor to report that in the engagement yesterday with the fort at this place and its opposite, this ship was struck ten times in the hull and in twenty different parts of spars and rigging, but was not materially injured.

Two men were mortally wounded, since dead; one severely, and two slightly hurt.

The officers and crew began the fight, and went through with it with the greatest enthusiasm.

I am, very respectfully, your obedient servant.

J. L. LARDNER, *Captain.*

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron.

U. S. Steamship Mohican,
Port Royal Harbor, November 9, 1861.

Sir: I have to report that in the engagement off Hilton Head this ship suffered the following damage:

Shot in starboard main yard arm; five shot in hull; one screw to main rigging carried away by a shot. Serious injuries to after hatch; nothing, however, that may not readily be repaired with some carpenter's *aid.* One of my boats is so much injured that it must be replaced or repaired at once, and I have not the means.

The officers and crew did what I expected of them in the engagement—their entire duty with spirit and heart.

I am, sir, very respectfully, your obedient servant,

S. W. GORDON,
Commander.

Flag-Officer S. F. DuPont,
Commanding Southern Atlantic Blockading Squadron.

United States Steam Sloop Seminole,
Anchorage in Beaufort River, between Phillips and Moss Islands, 7.30 *p. m., November* 7, 1861.

Sir: Having proceeded from Hilton Head to the anchorage designated in your order of this evening, I have the honor to report to you our part of the proceedings in the action to-day with the rebel battery and troops at Hilton Head.

In obedience to your general signal, we got under way with this vessel at 8.45 a. m., cleared ship for action, and took our station in line as directed, standing up the channel between Hilton Head batteries and those on Phillips island, at Bay Point.

At 10 a. m. the rebels opened fire upon the Wabash, the leading ship of the line. At 10.15 a. m., when in range of Bay Point battery, we opened fire with our starboard broadside—two 32-pounders, medium guns, our eleven-inch pivot gun, trained on Hilton Head battery, with which we answered briskly the enemy's fire. At 10.20 a. m. a shot over our starboard quarter cut away spanker boom topping lift, near the poop.

At 10.25 a. m. a rifle bolt passed over starboard side forward, cut away ash crane, through hammocks, and over sheet anchor, port side. At 10.35 a. m. headed down in position, and returned in a lively manner the fire from Hilton Head battery with our starboard guns. At 11.05 a. m. a 32-pounder shot from the rebels passed through the starboard side of the Seminole, just forward of our fore channels, across berth decks, cutting ladder of fore hatch, and lodged in the bags on port side.

At 11.15 a. m. our port main brace was shot away by rifle bolt. At 11.18 a. m. another cut away our foretop-gallant back-stay; another shot away our foretop-gallant halliards, foretopsail buntlines, and jib halliards. At 11.50 a. m. expended all our shell for the medium 32-pounders; continued our fire with solid shot, using shell in one 11-inch pivot gun, some thirty of which, out of forty-two 11-inch shells fired, took effect in and around the batteries and camp of the enemy. At 2 p. m. gunboat in shore made signal, "Enemy enfeebled is." At 2.45 p. m. flag-ship signalled "Cease firing."

Our guns were well served, and our shot were seen to do good execution. Ship kept in her position as near as possible, without fouling other vessels. Officers and crew did their duty with cheerful, cool, and steady courage. It gives me pleasure to commend them to your notice.

At 3.03 p. m. the star-spangled banner of our beloved Union was seen waving from the flag-staff at the headquarters of the confederates. Permit me, sir, to congratulate you.

We expended forty-three 11-inch shells, eighty-two 32-pounder shells, and about sixty round shot during the action; kept our position next to the Mohican, and, towards the close of the action, we were abreast the guns of the upper or northwest part of the semi-circular battery at Hilton Head, thus giving a cross or flank fire on the enemy's works with our starboard guns, and were the last to leave his battery, except some of the smaller gunboats. We were struck six times; but one shot in the hull above water-line. Some of the crew received slight splinter wounds, but providentially none were killed.

I am, sir, respectfully your obedient servant,

JNO. P. GILLIS,
Commander.

Flag-Officer S. F. DuPont, U. S. N.,
Commanding Southern Atlantic Blockading Squadron, Port Royal Anchorage, Frigate Wabash, off Hilton Head Battery.

United States Steamer Pocahontas,
Port Royal Harbor, November 9, 1861.

Sir: In obedience to your order, I beg leave to state that on the morning of the 7th instant I found myself a few miles from Tybee light-house, and at once commenced steaming for Port Royal entrance. Soon after I stood off in pursuit of a schooner, which I thought intended breaking the blockade, but which proved to be laden with coal for the squadron. As my stock was reduced to one day's supply, and it was reported to me that the fleet was at anchor outside, I thought it a good opportunity to replenish while towing the vessel to our mutual destination; and this I was doing when, about 10 o'clock, I heard the beginning of a cannonade. I immediately cast off the schooner, and stood for the scene of action, which I reached a little after 12 o'clock. In passing, I engaged the batteries on Bay Point and Hilton Head, but soon getting out of range of the former, directed my fire on the latter, until signal was made about 2.30 p. m. to cease firing. During this time I expended twenty-four 10-inch and thirty-seven 32-pounder shell, and five 32-pounder shot, and four 15-pounder rifled shell. I could have fired much more frequently, but as there were evident signs towards the last that the enemy were leaving, I thought it well to spare the ammunition. The only injuries received were a shot through the mainmast and the boom topping lift, and several small pieces of rigging cut away.

I am, very respectfully, your obedient servant,

P. DRAYTON,
Commanding Pocahontas.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Squadron, Port Royal Harbor.

United States Steamer Bienville,
Port Royal Harbor, November 8, 1861.

Sir: I have the honor to report that in the action of yesterday with the forts this vessel was struck several times, one shot passing through and through her, another striking bulwarks, forward, unfortunately mortally wounding two men, Patrick McGuigan, and Alexander Chambers, (since dead,) and slightly wounding three others, Peter Murphy, Alexander Finey, and William Gilchrist, whilst gallantly fighting at their guns. The other shots did but little damage. It affords me the utmost gratification to bring to your notice the excellent conduct of the officers and men. It would be impossible to particularize the bearing of any one officer or man, such was their gallant conduct.

During the engagement, we fired from this vessel eighty-four 32 solid shot, thirty-nine 32 pound shell, and sixty-two rifle shell.

I am, sir, very respectfully, your obedient servant,

CHARLES STEEDMAN,
Commander.

Flag-Officer S. F. DuPont,
Commander-in-chief of Naval forces, &c., &c., &c.

United States Gunboat Unadilla,
Off Hilton Head, South Carolina, November 8, 1861.

Sir: I have the honor to report that we fired yesterday at Forts Walker and Beauregard thirty-three (33) 11-inch shells, and thirty-seven (37) twenty pound shells from the Parrot gun; a majority of the latter either fell short or exploded prematurely, while the former did good execution.

The vessel was struck six times, but no person on board was sufficiently hurt to be classed as wounded.

The principal injuries are to two of our boats, the loss of our main boom, and a shot eighteen (18) inches below the water-line, immediately forward of the boilers, which will be repaired temporarily this day. * * * *

I am, sir, very respectfully, your obedient servant,

N. COLLINS,
Lieutenant Commanding.

Flag-Officer S. F. DuPont,
United States Flag-Ship Wabash.

United States Gunboat Seneca,
Port Royal, South Carolina, November 15, 1861.

Sir: In obedience to your order of this date, I have the honor to make the following report:

On Monday, the 4th, this vessel entered Port Royal, and sounded the channel until within three miles of Bay Point, when we were signalled from the Ottawa to return and anchor, which we did at 4 p. m., near her, about a mile further out, and a cable's length nearer the batteries. The fleet, generally, at this time, were standing in and anchoring. An hour later three rebel steamers approached us, and opened fire with rifled guns, but at a distance which proved ineffective. The Ottawa, Pembina. and this vessel got under way, and standing in at an angle allowing our heavy guns to bear, drove them before us. At sunset we returned, and anchored as before.

At daylight on Tuesday several rebel steamers again attacked us; we got under way, and obeying signals from the Ottawa, accompanied her, with the Pembina, Curlew, Isaac Smith, and afterwards the Pawnee, drove them until we were within a cross-fire of the batteries of Hilton Head and Bay Point, both opening upon us. No material damage was sustained. A heavy shell or shot, probably, struck the vessel on the port side, but I have been unable to find it, and probably will not until we get in a sea way; our rigging was struck three times. The object being effected, that of ascertaining the strength of the rebel batteries, we returned and anchored, as before, at about half-past eight.

Two or three hours after the rebel steamers again approached us; and finding that they were within range, I had the satisfaction of firing an 11-inch shell at the flag-ship, which was seen from aloft, as well as by several persons on deck, to strike just abaft the starboard wheel-house. The vessel put into Bay Point, and on returning, or rather showing herself in the afternoon, had a large white plank forward of the port wheel-house, probably where the shell went out.

On the morning of the 7th, obeying signal, we took position assigned us in the line, and passing up delivered our fire at Bay Point, and on arriving out of fire of the batteries made chase, as directed by instructions, to the rebel steamers; they being river boats, soon left us, and I had the chagrin of having wasted several shells at them at ineffective distance.

Returning to the attack on Hilton Head, we passed so near to the shore as to be fired upon by riflemen, who kept quiet on being fired on by our Parrott 20-pounder. From an enfilading position we began with ten-second fuzes, and closing up found ourselves within effective five-second range. At to the latter part of the action we were within howitzer range, and were using both howitzers effectively, as well as 11-inch gun and Parrott 20-pounder.

During the engagement we fired sixty-three 11-inch shells, nine with fifteen-second fuzes, twenty-eight with ten-second fuzes, and twenty-six with five-second fuzes. Thirty-three projectiles from the Parrott gun were also fired, and twelve 24-pound shrapnel.

I am sorry to say that the Parrott shell appears defective; its flight was wild, and range short. As I fired once myself, I know they were not to be depended on, and the captain of the gun was much disappointed at his results.

During the engagement an officer was kept at the masthead, whose duty it was to report our firing, by which we were governed. I have therefore reason to believe that our fire was effective.

Few of our crew have served before in a vessel of war; and as we went into commission only three weeks before the engagement, Mr. Sproston, the first lieutenant of the vessel, fired nearly all the 11-inch shells with his own hands; of him, as well as of the officers and crew generally, I have to express my warmest commendations, and my surprise that amidst such a shower of shot and shells we received no damage.

I am, very respectfully, your obedient servant,

DANIEL AMMEN,
Lieutenant Commanding Seneca.

Flag-Officer SAMUEL F. DUPONT,
Commanding Southern Atlantic Blockading Squadron.

UNITED STATES STEAMER PAWNEE,
Port Royal Harbor, South Carolina November 8, 1861.

SIR: The following are the damages sustained by this vessel in the engagement of yesterday, viz: One 42-pounder shot, starboard quarter, at water-line, one 18 above; these two shots cut four of the frame timbers, passed through the wardroom, knocking down bulkhead, and demolishing drawers and bureau of the second room; also sideboard in wardroom, and iron safe, knocking in a panel in the opposite room, and partly destroying the bureau; one of them struck the deck above, raising two planks, and passed through a panel into the master's room. One round shot passed through the launch's chock, on the starboard side, through the launch, breaking the spare topmast, and out through the port bulwarks. One passed through starboard forward port, striking the chase of No. 1 gun, then upper sill of port and the cap square, breaking the trunion of the starboard forward gun. One passed through the bulwarks three feet forward of starboard forward gun, tearing off large splinters, struck the coamings of fore hatch, and fell. One, port side amidships at water-line, did not penetrate. One grazed the fore yard, and one cut the maintop-gallant yard rope.

All the injuries to the crew were made by splinters.

I am, sir, very respectfully, your obedient servant,

R. H. WYMAN,
Lieutenant Commanding.

Flag-Officer S. F. DUPONT,
Commanding United States South Atlantic Blockading Squadron.

UNITED STATES STEAMER PAWNEE,
Port Royal Entrance, S. C., November 7, 1861.

SIR: I have the honor to enclose herewith the report of the surgeon of this vessel of the casualties resulting from this day's engagement.

As we have no chaplain on board, will you be pleased to give directions regarding the burial of our dead?

I would here mention that all this ship's company—officers and crew—have behaved with the greatest energy and coolness.

I am, sir, very respectfully, your obedient servant,

R. H. WYMAN, U. S. N.,
Lieutenant Commanding United States Steamer Pawnee.

Flag-Officer S. F. DuPont,
Commanding United States Southern Atlantic Squadron.

United States Steamer Pawnee,
Port Royal entrance, South Carolina, November 7, 1861.

Sir: I have to report the following casualties, resulting from the engagement to-day:

Killed, 1—John Kelly, ordinary seaman; chest crushed by splinters from a round shot.

Severely wounded, 1—Wm. H. Fitzhugh, 1st class boy, leg crushed by splinters, involving amputation.

Slightly wounded, 3—Mr. Alfred Washburn, master's mate, head and back bruised by splinters; Jacob Hahn, boy, head contused; Patrick Quinn, ordinary seaman, foot torn by splinters.

Respectfully, your obedient servant,

F. M. GUNNELL, *Surgeon.*

R. H. Wyman, *Lieut. Commanding.*

United States Steamer Pawnee,
Port Royal Harbor, South Carolina, November 8, 1861.

Sir: Wm. H. Fitzhugh, 1st class boy, (contraband,) reported yesterday as having received a severe fracture of the leg from splinters, died last night.

I am, sir, very respectfully, your obedient servant,

R. H. WYMAN, U. S. N.,
Lieutenant Commanding.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron.

United States Gunboat Ottawa,
Off Hilton Head, November, 1861.

Sir: I have the honor to report that as soon as the Ottawa, under my command, could take up her position in the order of battle, I weighed anchor, following in the wake of our leading vessel. When abreast of Bay Point battery, finding that our 11-inch gun was doing good execution, I stopped the engine to engage it, and threw about a dozen shells in and about the fortifications; discovering, however, that we were under a cross-fire, I steamed up to take distance, in the order assigned. About this time a 32-pound shot struck the Ottawa in the port waist, just abaft the pivot-gun, (11-inch,) wounding severely Mr. Kerne, one of the acting masters, (who subsequently lost his leg by amputation,) one other man seriously, and four others slightly, and doing considerable damage to the deck of the vessel, the coamings of the forward coal-bunker hatch, and splitting two of the upper deck beams. Discovering, as we ranged up with the fort on Hilton Head, that we occupied an enfilading position, I continued to occupy it until the enemy deserted their batteries, when, being nearest to them, I signalized the same to the flag-ship and stopped firing, about five hundred yards from the fort. While engaging at a distance of about 1,000 yards, and when within 300 yards of the beach of Hilton Head, some of the riflemen of the enemy commenced firing upon us, when we opened with the howitzers charged with shrapnels, and quickly dispersed them.

It only remains for me to notice the good conduct, coolness and gallantry of both officers and men upon the occasion, who behaved with the steadiness of veterans, and to commend them to your favorable notice, and the notice of the department, as worthy supporters of the cause we have espoused.

Very respectfully,

T. H. STEVENS,
Lieutenant Commanding, U. S. N.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron.

UNITED STATES GUNBOAT PEMBINA,
Port Royal, November 15, 1861.

SIR: In obedience to your order of to-day, I forward herewith a report of the part taken by this vessel in the action of the 7th instant.

November 7, 9.30 a. m., got under way, in obedience to signal from flag-ship, and took station assigned at 10.05. Commenced firing at Bay Point batteries from 11-inch gun and 20-pound rifle, using 15-second fuzes from the former and percussion shell from the latter. The first appeared to burst with great precision, but the shells from the rifle were very uncertain. Passing the fire off Bay Point, closed up with Hilton Head batteries, and with little intermission remained engaged until 2.15 p. m., when the enemy were discovered leaving their battery. Ceased firing, ran down and reported the same to Flag-Officer DuPont,

I have no casualties to report among officers or crew, nor any injuries to the vessel, although much of the time under a heavy fire, most of their shot passing over us.

The conduct of the officers and men throughout the action was unexceptionable, all attending to their duty with a courage and coolness which were more to be admired as it was their first time under fire.

I am, respectfully, your obedient servant,

J. P. BANKHEAD,
Lieutenant Commanding.

Flag-Officer S. F. DuPont,
Com. South Atlantic Block. Squadron, U. S. S. Wabash.

UNITED STATES STEAMER ISAAC SMITH,
Port Royal bay, South Carolina, November 15, 1861.

SIR: On Thursday, November 7, this vessel, with the Vandalia in tow astern, passed the batteries at Hilton Head and Bay Point twice. At noon a shot from Bay Point battery struck the foregaff, cutting it in two; this was the only damage sustained, the enemy throwing their shot directly over and beyond us. I fired from the Parrott 30-pounder 28 shells at the batteries and 3 at the rebel steamers to the northward. In all, 31 shells.

Officers and crew behaved with perfect coolness during the action.

I am, respectfully, your obedient servant,

J. W. NICHOLSON,
Lieutenant Commanding.

Flag-Officer SAMUEL F. DUPONT, U. S. N.,
Commanding South Atlantic Blockading Squadron.

UNITED STATES STEAMER R. B. FORBES,
Port Royal bay, South Carolina, November 8, 1861.

SIR I have the honor to report to you that, after performing the duty assigned to me yesterday, I hastened to join the squadron, my pilot refusing to bring me nearer to the scene of action. I soon discovered the battery abreast of me and quite near. I commenced firing. Several shells were fired near and around us. I then took my position as ordered, and fired forty-three shells from our rifled guns, but few falling short of the battery. In firing the Cochran shell several jammed in the bore of both guns, although well greased before entering them. I had no difficulty in using the Hotchkiss shells. A flag-staff on shore was shot away. Every officer and man acted with coolness and laudable spirit.

I have the honor to be your most obedient servant,

HENRY S. NEWCOMB,
Lieutenant Commanding.

Flag-Officer S. F. DUPONT,
Commanding South Atlantic Squadron.

UNITED STATES STEAMER PENGUIN,
South Atlantic Squadron, Port Royal, S. C., November 8, 1861.

SIR: I have the honor to report that yesterday a. m., in conformity to signal by the flag-ship, I weighed anchor, took position, as prescribed, in line of battle, and followed the leading vessel into action.

Having shifted over one gun from the port to the starboard side, I was enabled to present three guns on that broadside. These, together with the 12-pounder Dahlgren rifle gun on the forecastle, were served throughout the engagement with remarkable precision and coolness by their respective crews.

When abreast the rebel batteries, a shot from the one located at Hilton Head entered the steam-drum above the spar deck. Out rushed the steam, and the engine stopped. Soon after a 32-pound round shot, from the Bay Point battery, struck a skylight on the quarter deck, and buried itself deeply into an oak bitt-head on the port side, after carrying away the tiller chain on that side. We were promptly taken in tow by the United States steamer Augusta, to whose commander I feel indebted for the efficient manner in which he afterwards brought us under fire upon every favorable occasion. Acting Master Harris, who had charge of the gun deck division, Paymaster Wood, in charge of powder division, the engineer, and other officers, behaved with deliberate energy throughout.

To "Divine Providence" we all give thanks for our preservation from the slightest bodily injury, and especially when we reflect that had the boiler been penetrated a short distance lower the loss of life from the escape of the steam must have been serious.

With the greatest admiration at the splendid manner with which your flag-ship was fought and handled, and duly grateful to those through whose favor I was allowed to participate in a *victory*, the result of which must be so glorious and important to the cause we serve,

I remain, very respectfully, your obedient servant,

THOMAS A. BUDD,
Acting Lieutenant Commanding U. S. Steamer Penguin.

Flag-Officer S. F. DuPont, U. S. N.,
Commanding South Atlantic Squadron.

United States Steamer Curlew,
Off Hilton Head, Port Royal, November 12, 1861.

Sir: I have the honor to report that this vessel sustained no damage or loss during the reconnoissance on the 5th instant, or during the general attack upon the enemy's batteries at Hilton Head and Bay Point, except in the fracture of the Parrott 20-pounder within eighteen inches of the muzzle. All the fragments were carried overboard, leaving a ragged end, which disabled the gun for further service.

The tubes of the condenser and several of the flues of two of the boilers were started by the concussions of our own battery, causing them to leak so seriously that repairs are necessary.

One hundred and two solid shot, twelve 15-second shell, and twenty-one 10-second shell were fired during the general attack.

I have the honor to be, sir, your obedient servant,

PEN. G. WATMOUGH,
Acting Lieutenant Commanding.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron.

Flag-Ship Wabash,
Port Royal Harbor, November 12, 1861.

Sir: I beg leave to enclose to the department the reports of Lieutenant Commanding Ammen and Lieutenant Sproston, which I trust will be found interesting. Also the report of Lieutenant Commanding Collins, and a copy of my instructions to him in relation to the investment of Beaufort.

Respectfully, your obedient servant,

S. F. DUPONT,
Flag-Officer Commanding South Atlantic Blockading Squadron.

Hon. Gideon Welles,
Secretary of the Navy, Washington.

United States Gunboat Seneca,
Hilton Head, November 9, 1861.

Sir: I have the honor to report that, in obedience to your order of this morning, I left Hilton Head at noon, accompanied by Lieutenant Commanding Bankhead, in the Pembina, and Lieutenant Commanding Watmough, in the Curlew.

We proceeded up Beaufort river prepared for action, but found the banks deserted except by squads of negroes, who appeared to regard us with curiosity and fear.

On reaching the upper end of a small marsh island within half a mile of Beaufort, we observed the hasty departure of many persons; and not seeing the light-boats, which was the principal object of the expedition, I sent Lieutenant Sproston on shore with a flag of truce to communicate with the authorities, if any could be found, and assure the inhabitants that all persons who were not in arms would be respected.

Lieutenant Sproston, whose report is appended, returned with a Mr. Allen, who appeared overcome with fear or drink. After stating to him the assurances which you directed me to give peaceable inhabitants, I sent him on shore, and directed the return of the vessel to your anchorage.

Coming down we were boarded by a boat's crew of negroes, who stated that many of them had been shot by their masters. I informed them that we had not come for the purpose of taking them from their masters, nor of making them continue in a state of slavery; that they were free to go to Beaufort or to Hilton Head.

They said they would go to Beaufort to make some arrangements, and thought that all of the blacks would come in to avoid being murdered.

Not knowing the channel way we grounded at the upper end of the marsh island, within half a mile of Beaufort, and got off after an hour's delay, and with the assistance of Lieutenant Commanding Watmough, of the Curlew.

In the meantime the Pembina, in endeavoring to turn the lower end of the same island, in order to come around the main channel way, grounded also, and the tide falling she could not be got off during this tide. I therefore directed the Curlew, Lieutenant Commanding Watmough, to remain by her and aid in getting her off at next high tide.

Very respectfully, your obedient servant,

DAN. AMMEN,
Lieutenant Commanding Seneca.

Flag-Officer S. F. DUPONT,
Commanding Southern Atlantic Blockading Squadron.

UNITED STATES STEAMER SENECA,
Beaufort, South Carolina.

SIR: In obedience to your orders I landed in the town of Beaufort, and found the place deserted by every inhabitant with the exception of two, one of whom I was conducted to by the negroes, who were rejoiced to see me, crowding, came in large numbers, and cheering the flag. They told me that their masters had been firing at them and driving them back in the woods to prevent their communicating with the United States forces, and I judged from their manner that they would commit any act of retaliation that opportunity offered. They also stated that the forces formerly occupying St. Phillip's fortifications with the Beaufort artillery had retired to Port Royal Ferry, two miles distant from the town.

Mr. Allen, an old inhabitant of the place, but northern by birth, met me at the entrance of his store, much agitated, and holding a flag of truce in his hands. He said, and I witnessed its confirmation, that the negroes were perfectly wild, breaking into every building, and destroying or carrying off all portable property, and that the light-boats had been burned immediately after the surrender of the batteries.

Mr Wilcox, another resident of the place, was said to be in the town, but I did not find him. So I brought Mr. Allen on board.

An intelligent mulatto boy dismounted from a horse he was riding, and coming towards me, said: "The whole country have left, sir, and all the soldiers gone to Port Royal Ferry;" "they did not think that you could do it, sir."

On close inquiry I judged that there must be at Port Royal Ferry at this time, or the time of the negro's departure from there this morning, about a thousand troops and the Beaufort artillery.

Very respectfully, your obedient servant,

J. GLENDY SPROSTON.
Lieutenant Commanding.

Lieutenant D. AMMEN, U. S. N.,
Commanding United States Gunboat Seneca.

FLAG-SHIP WABASH,
Port Royal Harbor, November 10, 1861.

SIR: It has been reported to me by Lieutenant Commanding Ammen that, on taking possession of the town of Beaufort, under my orders of the 8th instant, he found that most of the white inhabitants had abandoned the town, and that the negroes were committing excesses and destroying private property.

You will proceed, with the most convenient despatch, in the gunboat Unadilla, under your command, to Beaufort, where you will find the gunboat Pembina, (Lieutenant Commanding Bankhead,) and the gunboat Curlew, (Lieutenant Commanding Watmough,) and assume command of the station.

You will employ your forces in suppressing any excesses on the part of the negroes; and you will take pains to assure the white inhabitants that there is no intention to disturb them in the exercise of their private rights, or in the enjoyment of their private property.

Acting on this principle of conduct, you will pursue any other measures that may tend to create confidence, to bring back the people to their houses, and to re-establish order.

You will please send Lieutenant Commanding Watmough to report to me to-morrow morning in person upon the actual state of things, and upon the steps you may have found it expedient to take.

Any information you may have it in your power to collect, concerning the state of the surrounding country, will be valuable.

Very respectfully your obedient servant,

S. F. DUPONT,
Flag-Officer Commanding South Atlantic Blockading Squadron

Lieutenant NAPOLEON COLLINS, U. S. N.,
U. S. Gunboat Unadilla, Port Royal Harbor.

UNITED STATES SHIP UNADILLA,
Beaufort, S. C., November 11, 1861.

1. SIR: Since the departure of the Seneca from this place the pillage has nearly ceased, owing to the judicious measures instituted by Lieutenants Commanding Bankhead and Watmough.

2. Upon my arrival here I visited the arsenal, and found therein apparatus belonging to one of the United States light-houses, also a quantity of powder, which I send down by the Curlew.

3. I have heard of some government channel buoys, not far from here, which I expect to secure to-day.

4. I do not consider the information derived from the negroes at all reliable, and, notwithstanding their subserviency, I think they are quite as likely to act in behalf of the rebels as the United States.

5. The force at Port Royal Ferry is variously represented to be from three to ten thousand. All accounts agree in stating that a large force is collecting there.

6. Yesterday Lieutenant Commanding Bankhead saw at a distance two white men on horseback, whom he supposed to be scouts. They were riding very fast.

7. At 2½ o'clock this morning, during a dense fog, from six to eight musket shots were fired from the shore, immediately below the town. The balls were heard passing over the two other gunboats. Captain Bankhead supposed they were fired by rebel scouts. He was informed yesterday that it was the intention of the owners of houses here to send persons in to burn them.

8. As Mr. Luce returns to-day, leaving us without any one having knowledge of the river, I respectfully request that a pilot may be ordered up here.

I have the honor to be, very respectfully, your obedient servant,

N. COLLINS,
Lieutenant Commanding.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Blockading Squadron, Flag-Ship Wabash.

United States Gunboat Curlew,
Port Royal, S. C., November 17, 1861.

Sir: It affords me great pleasure to speak with praise of the general gallantry, coolness, and cheerfulness of the officers and men under my command during the several actions with the rebel squadron and batteries on the 4th, 5th, and 7th instant. Master H. E. Mullan, acting executive officer, rendered efficient service by his readiness and zeal. Acting Master C. A. Curtis, in charge of the battery of 32s, is deserving of all praise for the spirit he instilled the men with, and effectualness and accuracy of the divisional firing. Acting Master Robert Spavin's steadiness at the wheel merits commendation. Acting Master H. N. Parish, who had charge of the Parrott pivot-gun, disabled early in the action of the 7th by the enemy's shot, afterwards assisted with his crew at the broadside battery.

The paymaster, Wm. A. A. Kerr, acting as signal officer, by his coolness and watchfulness was of material assistance; he also kept a careful record of the incidents of the several actions. Messrs Emory, Swasey, McConnell, and Lloyds, engineers of the vessel, with great difficulties to contend against, in the general unfitness of engine, boilers, and condensing apparatus for such rough service, managed to carry us through the action, for which I was thankful.

Fortunately the readiness of our medical officer, Mr. Perucer, was not called upon. Master's Mate Duncan, acting as gunner, provided a bountiful supply of ammunition for the battery.

I have the honor to be, sir, your obedient servant,

PEN. G. WATMOUGH,
Acting Lieutenant Commanding.

Flag-Officer S. F. DuPont,
Commanding South Atlantic Squadron.

Respectfully forwarded.

S. F. DUPONT, *Flag-Officer.*

NAVY DEPARTMENT,
November 16, 1861.

SIR: It is with no ordinary emotion that I tender to you and your command the heartfelt congratulations and thanks of the government and the country for the brilliant success achieved at Port Royal. In the war now waging against the government in this most causeless and unnatural rebellion that ever afflicted a country, high hopes have been indulged in the navy, and great confidence reposed in its efforts.

The results of the skill and bravery of yourself and others have equalled and surpassed our highest expectations.

To you and your associates, under the providence of God, we are indebted for this great achievement by the largest squadron ever fitted out under that flag which you have so gallantly vindicated, and which you will bear onward to continued success.

On the receipt of your despatches announcing the victory at Port Royal, the department issued the enclosed general order, which, with this letter, you will cause to be read to your command.

I am respectfully, &c.,
GIDEON WELLES.

Flag-Officer SAMUEL F. DUPONT,
Commanding South Atlantic Blockading Squadron.

GENERAL ORDER.

NAVY DEPARTMENT, *November* 13, 1861.

The department announces to the navy and to the country its high gratification at the brilliant success of the combined navy and army forces, respectively commanded by Flag-Officer S. F. DuPont and Brigadier General W. T. Sherman, in the capture of Forts Walker and Beauregard, commanding the entrance of Port Royal harbor, South Carolina.

To commemorate this signal victory, it is ordered that a national salute be fired from each navy yard at meridian on the day after the receipt of this order.

GIDEON WELLES,
Secretary of the Navy.

Flag-Officer DuPont's report concerning the marine battalion, November 15.

FLAG-SHIP WABASH,
Port Royal Harbor, S. C., November 15, 1861.

SIR: I avail myself of the first moment of leisure to transmit to you the report of Major John George Reynolds, commanding the battalion of marines attached to my squadron, in which he relates all the circumstances attending the loss of the chartered steamer Governor, and the rescue of himself and his command by the frigate Sabine, Captain Ringgold.

The department will find this report exceedingly interesting, and will be gratified to learn that the conduct of the officers and of nearly all the men of the battalion was such as to command Major Reynolds's approval, as it will, I doubt not, receive the favorable notice of the department.

The established reputation and high standing of Major Reynolds might almost dispense with any observations of my own upon the bravery and high sense of honor which he displayed in disputing with Mr. Weidman (though not a seaman) the privilege of being the last to leave the wreck.

I have the honor to be, sir, respectfully, your obedient servant,

S. F. DUPONT,
Flag-Officer Commanding South Atlantic Blockading Squadron.

Hon. Gideon Welles,
Secretary of the Navy, Washington.

United States Ship Sabine,
At sea, November 8, 1861.

Sir: I have the honor to report that the marine battalion under my command left Hampton Roads on transport steamboat Governor on the morning of Tuesday, the 29th of October, with the other vessels of the fleet, and continued with them near the flag-ship Wabash until Friday, the 1st of November.

On Friday morning, about 10 o'clock, the wind began to freshen, and by 12 or 1 blew so violently that we were obliged to keep her head directly to the wind, and thereby leave the squadron, which apparently stood its course. Throughout the afternoon the gale continued to increase, though the Governor stood it well until about 4 o'clock. About this time we were struck by two or three heavy seas which broke the port hog-brace in two places, the brace tending inward. This was immediately followed by the breaking of the hog-brace on the starboard side. By great exertions on the part of the officers and men of the battalion, these braces were so well stayed and supported that no immediate danger was apprehended from them. Up to this time the engine worked well. Soon after the brace chains which supported the smoke-stack parted, and it went overboard. Some three feet of it above the hurricane deck remained, which enabled us to keep up the fires. Soon after the loss of the smoke-stack the steam-pipe burst. After this occurrence we were unable to make more than fourteen pounds of steam, which was reduced, as soon as the engine commenced working, from three to five pounds. The consequence was, we had to stop the engine frequently in order to increase the head of steam. At this period the steamer was making water freely, but was easily kept clear by the pumps of the engine whenever it could be worked. About 5 o'clock we discovered a steamer with a ship in tow, which we supposed to be the Ocean Queen. To attract attention we sent up rockets, which signals she answered. When our rockets, six in all, were gone, we kept up a fire of musketry for a long time, but the sea running high and the wind being violent she could render us no assistance. She continued on her course in sight the greater part of the night. About 3 o'clock Saturday morning the packing around the cylinder head blew out, rendering the engine totally useless for some time. The engine was finally put in running order, although it went very slowly. The rudder chain was carried away during the night, the water gaining constantly on us, and the boat laboring violently. At every lurch we apprehended the hog-braces would be carried away, the effect of which would have been to tear out the whole starboard side of the boat, collapse the boiler, and carry away the wheel-house. Early in the morning the rudder head broke, the engine was of very little use, the water still gaining on us rapidly, and we entirely at the mercy of the wind. It was only by the untiring exertions of our men that we were kept afloat; nearly one hundred of them were kept constantly pumping and bailing, and the rest were holding fast the ropes which supported the hog-braces. Towards morning the weather, which during the night had been dark and rainy, seemed to brighten and the wind to lull. At daybreak two vessels were seen on our starboard bow, one of which proved to be the

United States steamer Isaac P. Smith, commanded by Lieutenant J. W. A. Nicholson, of the navy. She descried our signal of distress, which was ensign half-mast, Union down, and stood for us. About 10 o'clock we were hailed by the Smith and given to understand that, if possible, we would all be taken on board. A boat was lowered from her and we were enabled to take a hawser. This, through the carelessness of Captain Litchfield, of the Governor, was soon cut off, or unavoidably let go. The water was still gaining on us. The engine ocild be worked but little, and it appeared our only hope of safety was gone. The Smith now stood off, but soon returned, and by one o'clock we had another hawser from her and were again in tow. A sail (the propeller bark Young Rover) which had been discovered on our starboard bow during the morning was soon within hailing distance. The captain proffered all the assistance he could give, though at the time he could do nothing, owing to the severity of the weather. The hawser from the Smith again parted, and we were once more adrift. The Young Rover now stood for us again, and the captain said he would stand by us to the last, for which encouragement he received a heartfelt cheer from the men. He also informed us a large frigate was ahead standing for us. He then stood for the frigate, made signals of distress, and returned. The frigate soon came into view, and hope once more cheered the hearts of all on board the transport. Between 2 and 3 o'clock the United States frigate Sabine (Captain Ringgold) was within hail, and the assurance given that all hands would be taken on board. After a little delay, the Sabine came to anchor. We followed her example, and a hawser was passed to us. It was now late in the day, and there were no signs of an abatement of the gale. It was evident that whatever was to be done for our safety must be done without delay. About 8 or 9 o'clock the Sabine had payed out enough chain to bring her stern close to our bow. Spars were rigged out over the stern of the frigate, and every arrangement made for whipping our men on board, and some thirty men were rescued by this means. Three or four hawsers and an iron stream cable were parted by the plunging of the vessels. The Governor, at this time, had three feet water, which was rapidly increasing. It was evidently intended by the commanding officer of the Sabine to get the Governor alongside, and let our men jump from the boat to the frigate. In our condition this appeared extremely hazardous. It seemed impossible for us to strike the frigate without instantly going to pieces. We were, however, brought alongside, and some forty men succeeded in getting on board the frigate; one was crushed to death between the frigate and the steamer in attempting to gain a foothold on the frigate.

Shortly after being brought alongside the frigate, the starboard quarter of the Sabine struck the port bow of the Governor and carried away about twenty feet of the hurricane deck from the stem to the wheel-house. The sea was running so high, and we being tossed so violently, it was deemed prudent to slack up the hawser and let the Governor fall astern of the frigate, with the faint hope of weathering the gale till morning. All our provisions and other stores, indeed every movable article, were thrown overboard and the water casks started to lighten the vessel. From half-past three until daybreak the Governor floated in comparative safety, notwithstanding the water was rapidly gaining on her. At daybreak preparations were made for sending boats to our relief, although the sea was running high; and it being exceedingly dangerous for a boat to approach the guards of the steamer, in consequence, the boats laid off, and the men obliged to jump into the sea and then hauled into the boats. All hands were thus providentially rescued from the wreck, with the exception, I am pained to say, of one corporal and six privates, who were drowned or killed by the crush or contact of the vessels. Those drowned were lost through their disobedience of orders in leaving the ranks or abandoning their posts. After the troops were safely re-embarked, every exertion was directed to securing the arms, accoutrements, ammunition and other property which might have been saved after lightening the wreck. I am gratified in being able to say nearly all the arms were saved and about half the accoutrements. The knapsacks, haversacks, and canteens were nearly all lost. About ten thousand rounds of cartridges were fortunately saved and nine thousand lost. Since being on board of this ship every attention has been bestowed by Captain Ringgold and his officers towards recruiting the strength of our men, and restoring them to such a condition as will enable us to take the field at the earliest possible moment. Too much praise cannot be bestowed upon the officers and men under my command—all did nobly. The firmness with which they performed their duty is beyond all praise. For forty-eight hours they stood at ropes, and passed water to keep the ship afloat. Refreshments in both eating and drinking were passed to them at their posts by non-commissioned officers. It is impossible for troops to have conducted themselves better under such trying circumstances. The transport continued to float some hours after she was abandoned, carrying with her when she sunk, I am grieved to say, company books and staff returns. In order to complete the *personnel* of the battalion, I have requested Captain Ringgold to meet a requisition for seven privates, to which he has readily assented. I considered this requisition in order, as I have been informed by Captain Ringgold it is his intention, or orders were given for his ship, to repair to a northern port, in which event he can be easily supplied, and my command by the accommodation rendered complete, in order to meet any demand you may make for our services.

Under God we owe our preservation to Captain Ringgold and the officers of the Sabine, to whom we tender our heartfelt thanks for their untiring labors while we were in danger, and their unceasing kindness since we have been on board the frigate.

This report is respectfully submitted.

I am, commodore, very respectfully, your obedient servant,

JOHN GEO. REYNOLDS,
Comm'g Batt. Marines, Southern Division.

Flag-Officer SAMUEL F. DUPONT,
Comm'g U. S. Naval Expedition, Southern Coast, U. S. N. America.

Flag-Officer DuPont's report of the taking of Tybee island, Ga., November 25.

FLAG-SHIP WABASH,
Port Royal Harbor, S. C., November 25, 1861.

SIR: I have the honor to inform the department that the flag of the United States is flying over the territory of the State of Georgia.

As soon as the serious injury to the boilers of the Flag had been repaired, I despatched Commander John Rodgers to Tybee entrance, the mouth of Savannah river, to report to Commander Missroon, the senior officer, for a preliminary examination of the bars, and for the determination of the most suitable place for sinking the proposed obstructions to the navigation of the river.

Captain Rodgers was instructed to push his reconnoissance so far as to "form an approximate estimate of the force on Tybee island, and of the possibility of gaining access to the inner bar;" and, further, "if the information acquired by this reconnoissance should be important, to return and communicate it to me immediately."

I was not surprised when he came back and reported that the defences on Tybee island had probably been abandoned. Deeming it proper, however, to add the Seneca, Lieutenant Commanding Ammen, and Pocahontas, Lieutenant

Commanding Balch, to his force, I directed him to renew his approaches with caution, and, if no opposition was met with, to occupy the channel.

I am happy now to have it in my power to inform the department that the Flag, the Augusta, and the Pocahontas are at anchor in the harbor abreast of Tybee beacon and light, and that the Savannah has been ordered to take the same position.

The abandonment of Tybee island, on which there is a strong martello tower, with a battery at its base, is due to the terror inspired by the bombardment of Forts Walker and Beauregard, and is a direct fruit of the victory of the 7th.

By the fall of Tybee island, the reduction of Fort Pulaski, which is within easy mortar distance, becomes only a question of time.

The rebels have themselves placed sufficient obstructions in the river at Fort Pulaski, and thus by the co-operation of their own fears with our efforts the harbor of Savannah is effectually closed.

I have the honor to be, sir, respectfully, your most obedient servant,

S. F. DUPONT,
Flag-Officer Comm'g South Atlantic Block'g Squadron.

Hon. GIDEON WELLES,
Secretary of the Navy.

Acting Volunteer Lieutenant Rogers's report of the capture of the privateer schooner Beauregard, November 13.

UNITED STATES BARK W. G. ANDERSON,
Bahama Channel, November 13, 1861.

SIR: I last had the honor of addressing you under date of November 4, per schooner J. J. Spencer, enclosing abstract log of the United States bark W. G. Anderson to that date, and, to my regret, had nothing to report to the department of any moment.

I now have the gratification to inform you that we have been fortunate enough to capture the rebel privateer schooner Beauregard, 101 tons, of and from Charleston, seven days out, and manned by a captain, two lieutenants, purser, and twenty-three seamen—twenty-seven, all told—and carrying a rifled pivot-gun throwing a 24-pound projectile.

This occurred under the following circumstances: Since November 4 we have cruised along to the northward of the West India islands and passages, steering westerly without seeing but one sail. After standing to within seventy miles of the Hole in the Wall, we turned our head to eastward again, and on November 12, in latitude 26°.40, longitude 75°.42, at daylight, made a schooner running before the wind toward us. On approaching within four miles he suddenly hauled by the wind, and, as we noticed many men on his decks, we immediately made sail in chase, and in two hours brought her to under our lee, and ordered the captain on board with his papers. He brought a letter of marque from Jefferson Davis, which he surrendered with his vessel.

We put a prize-master and crew on board, and transferred the prisoners to our ship, placing them in double irons.

On boarding her the crew were found in a drunken state, committing all the destruction they could—throwing overboard the arms and ammunition, spiking the gun, and cutting the sails and rigging to pieces. She was otherwise in bad order and poorly found, and having but a short supply of water, of which we have none to spare, was in no condition to send to Boston.

Having twenty-seven prisoners, and no room for them on board the W. G. Anderson, I decided, as we were within three days' sail of Key West, to take them and the vessel into that port and deliver them to the proper authorities, and thence return to my cruising ground. I also am desirous of procuring, if possible, some ballast, of which the bark is very much in need.

Trusting that my proceedings will meet with your approbation, I have the honor to be, respectfully, your obedient servant,

WILLIAM C. ROGERS,
A. V. Lieut. Commanding U. S. Bark W. G. Anderson.

Hon. GIDEON WELLES,
Secretary of the Navy.

No. 1.

Captain Charles Wilkes's report of the capture of Messrs. Slidell and Mason and their suites.

UNITED STATES STEAMER SAN JACINTO,
November 15, 1861.

SIR: I have written to you, relative to the movements of this ship, from Cienfuegos, on the south coast of Cuba. There I learned that Messrs. Slidell and Mason had landed on Cuba, and had reached the Havana from Charleston. I took in some sixty tons of coal and left with all despatch on the 26th of October to intercept the return of the Theodora; but on my arrival at the Havana, on the 31st, I found she had departed on her return, and that Messrs. Slidell and Mason, with their secretaries and families, were there, and would depart on the 7th of the month in the English steamer Trent for St. Thomas, on their way to England.

I made up my mind to fill up with coal and leave the port as soon as possible, to await at a suitable position on the route of the steamer to St. Thomas to intercept her and take them out.

On the afternoon of the 2d I left the Havana, in continuation of my cruise after the Sumter on the north side of Cuba. The next day, when about to board a French brig, she ran into us on the starboard side at the mainchains, and carried away her bowsprit and foretopmast, and suffered other damages. I enclose you herewith the reports of the officers who witnessed the accident. I do not feel that any blame is due to the officer in charge of this ship at the time the ship was run into; and the brig was so close when it was seen she would probably do so, that even with the power of steam, lying motionless as we were, we could not avoid it—it seemed as if designed.

I at once took her in tow and put an officer on board with a party to repair her damages; this was effected before night, but I kept her in tow until we were up with the Havana, and ran within about eight miles of the light, the wind blowing directly fair for her to reach port.

I then went over to Key West, in hopes of finding the Powhatan or some other steamer to accompany me to the Bahama Channel, to make it impossible for the steamer in which Messrs. Slidell and Mason were to embark to escape either in the night or day. The Powhatan had left but the day before, and I was therefore disappointed and obliged to rely upon the vigilance of the officers and crew of this ship, and proceeded the next morning to the north side of the Island of Cuba, communicated with the Sagua la Grande on the 4th, hoping to receive a telegraphic communication from Mr. Shufelt, our consul general, giving me the time of the departure of the steamer.

In this also I was disappointed, and ran to the eastward some ninety miles, where the old Bahama Channel contracts to the width of fifteen miles, some two hundred and forty miles from the Havana, and in sight of the Paredon del Grande light-house. There we cruised until the morning of the 8th awaiting the steamer, believing that if she left at the usual time she must pass us about noon of the 8th, and we could not possibly miss her. At 11.40 a. m. on the 8th her smoke was first seen; at 12 m. our position was to the westward of the entrance into the narrowest part of the channel, and about nine miles northeast from the light-house of Paredon del Grande, the nearest point of Cuba to us. We were all prepared for her, beat to quarters, and orders were given to Lieutenant D. M. Fairfax to have two boats manned and armed to board her and make Messrs. Slidell, Mason, Eustis, and McFarland prisoners, and send them immediately on board. (A copy of this order to him is herewith enclosed.) The steamer approached and hoisted English colors, our ensign was hoisted, and a shot was fired across her bow; she maintained her speed and showed no disposition to heave-to; then a shell was fired across her bow, which brought her to. I hailed that I intended to send a boat on board, and Lieutenant Fairfax, with the second cutter of this ship, was despatched. He met with some difficulty, and remaining on board the steamer with a part of the boat's crew, sent her back to request more assistance: the captain of the steamer having declined to show his papers and passenger list, a force became necessary to search her. Lieutenant James A. Greer was at once despatched in the third cutter, also manned and armed.

Messrs. Slidell, Mason, Eustis, and McFarland were recognized and told they were required to go on board this ship. This they objected to until an overpowering force compelled them: much persuasion was used and a little force, and at about two o'clock they were brought on board this ship and received by me. Two other boats were then sent to expedite the removal of their baggage and some stores, when the steamer, which proved to be the Trent, was suffered to proceed on her route to the eastward, and at 3.30 p. m. we bore away to the northward and westward. The whole time employed was two hours and thirteen minutes.

I enclose you the statements of such officers who boarded the Trent, relative to the facts, and also an extract from the log-book of this ship.

It was my determination to have taken possession of the Trent, and sent her to Key West as a prize, for resisting the search and carrying these passengers, whose character and objects were well known to the captain; but the reduced number of my officers and crew, and the large number of passengers on board, bound to Europe, who would be put to great inconvenience, decided me to allow them to proceed.

Finding the families of Messrs. Slidell and Eustis on board, I tendered them the offer of my cabin for their accommodation to accompany their husbands; this they declined, however, and proceeded in the Trent.

Before closing this despatch I would bring to your notice the notorious action of her British Majesty's subjects, the consul general of Cuba and those on board the Trent, in doing everything to aid and abet the escape of these four persons, and endeavoring to conceal their persons on board. No passports or papers of any description were in possession of them from the federal government; and for this and other reasons which will readily occur to you I made them my prisoners, and shall retain them on board here until I hear from you what disposition is to be made of them.

I cannot close this report without bearing testimony to the admirable manner in which all the officers and men of this ship performed their duties, and the cordial manner in which they carried out my orders.

To Lieutenant Fairfax I beg leave to call your particular attention for the praiseworthy manner in which he executed the delicate duties with which he was intrusted; it met and has received my warmest thanks.

After leaving the north side of Cuba I ran through the Santaren passage and up the coast from off St. Augustine to Charleston, and regretted being too late to take a part in the expedition to Port Royal.

I enclose herewith a communication I received from Messrs. Slidell, Mason, Eustis, and McFarland, with my answer.

I have the honor to be, very respectfully, your obedient servant,

CHARLES WILKES,
Captain.

Hon. GIDEON WELLES,
Secretary of the Navy.

No. 2.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 8, 1861.

SIR: You will have the second and third cutters of this ship fully manned and armed, and be in all respects prepared to board the steamer Trent now hove-to under our guns.

On boarding her you will demand the papers of the steamer, her clearance from Havana, with the list of passengers and crew.

Should Mr. Mason, Mr. Slidell, Mr. Eustis, and Mr. McFarland be on board, you will make them prisoners, and send them on board this ship immediately, and take possession of her as a prize.

I do not deem it will be necessary to use force; that the prisoners will have the good sense to avoid any necessity for using it, but if they should, they must be made to understand that it is their own fault. *They must be brought on board.* All trunks, cases, packages, and bags belonging to them you will take possession of, and send on board this ship. Any despatches found on the persons of the prisoners, or in possession of those on board the steamer, will be taken possession of also, examined, and retained, if necessary.

I have understood that the families of these gentlemen may be with them. If so, I beg you will offer some of them, in my name, a passage in this ship to the United States, and that all the attention and comforts we can command are tendered them, and will be placed in their service.

In the event of their acceptance, should there be anything which the captain of the steamer can spare to increase the comforts in the way of necessaries or stores, of which a war vessel is deficient, you will please to procure them. The amount will be paid for by the paymaster.

Lieutenant James A. Greer will take charge of the third cutter, which accompanies you, and assist you in these duties.

I trust that all those under your command, in executing this important and delicate duty, will conduct themselves with all the delicacy and kindness which becomes the character of our naval service.

I am, very respectfully, your obedient servant,

CHARLES WILKES,
Captain.

Lieutenant D. M. FAIRFAX, U. S. N.,
Executive officer, San Jacinto.

No. 3.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 11, 1861.

GENTLEMEN: You will report to me in writing all the facts which transpired under your observation on board the mail steamer Trent, bound from Havana to St. Thomas, whilst hove-to under our guns on the 8th instant, and boarded by you under my orders.

I am, respectfully, your obedient servant,

CHARLES WILKES,
Captain.

Lieutenant D. M. FAIRFAX; Lieutenant JAS. A. GREER; Second Assistant Engineer JAMES B. HOUSTON; Third Assistant Engineer GEO. W. HALL; Paymaster's Clerk R. G. SIMPSON; Master's Mate CHARLES B. DAHLGREN; Boatswain H. P. GRACE, *United States Navy.*

No. 4.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 12, 1861.

SIR: At 1.20 p. m., on the 8th instant, I repaired alongside of the British mail packet in an armed cutter, accompanied by Mr. Houston, second assistant engineer, and Mr. Grace, the boatswain.

I went on board the Trent alone, leaving the two officers in the boat with orders to await until it became necessary to show some force.

I was shown up by the first officer to the quarter deck, where I met the captain and informed him who I was, asking to see the passenger list. He declined letting me see it. I then told him that I had information of Mr. Mason, Mr. Slidell, Mr. Eustis, and Mr. McFarland having taken their passage at Havana in the packet to St. Thomas, and would satisfy myself whether they were on board before allowing the steamer to proceed. Mr. Slidell, evidently hearing his name mentioned, came up to me and asked if I wanted to see him. Mr. Mason soon joined us, and then Mr. Eustis and Mr. McFarland, when I made known the object of my visit. The captain of the Trent opposed anything like the search of his vessel, nor would he consent to show papers or passenger list. The four gentlemen above mentioned protested also against my arresting and sending them to the United States steamer near by. There was considerable noise among the passengers just about this time, and that led Mr. Houston and Mr. Grace to repair on board with some six or eight men, all armed. After several unsuccessful efforts to persuade Mr. Mason and Mr. Slidell to go with me peaceably, I called to Mr. Houston and ordered him to return to the ship with the information that the four gentlemen named in your order of the 8th instant were on board, and force must be appplied to take them out of the packet.

About three minutes after there was still greater excitement on the quarter deck, which brought Mr. Grace with his armed party. I however deemed the presence of any armed men unnecessary, and only calculated to alarm the ladies present, and directed Mr. Grace to return to the lower deck, where he had been since first coming on board. It must have been less than half an hour after I boarded the Trent when the second armed cutter, under Lieutenant Green, came alongside, (only two armed boats being used.) He brought in the third cutter eight marines and four machinists, in addition to a crew of some twelve men. When the marines and some armed men had been formed just outside of the main deck cabin, where these four gentlemen had gone to pack up their baggage, I renewed my efforts to induce them to accompany me on board—still refusing to accompany me unless force was applied. I called in to my assistance four or five officers, and first taking hold of Mr. Mason's shoulder, with another officer on the opposite side, I went as far as the gangway of the steamer, and delivered him over to Lieutenant Greer, to be placed in the boat. I then returned for Mr. Slidell, who insisted that I must apply considerable force to get him to go with me; calling in at last three officers, he also was taken in charge and handed over to Mr. Greer. Mr. McFarland and Mr. Eustis, after protesting, went quietly into the boat. They had been permitted to collect their baggage, but were sent in advance of it under charge of Lieutenant Greer. I gave my personal attention to the luggage, saw it put in a boat and sent in charge of an officer to the San Jacinto.

When Mr. Slidell was taken prisoner a great deal of noise was made by some of the passengers, which caused Lieutenant Greer to send the marines into the cabin. They were immediately ordered to return to their former position outside. I carried out my purpose without using any force beyond what appears in this report. The mail agent, who is a retired commander in the British navy, seemed to have a great deal to say as to the propriety of my course, but I purposely avoided all official intercourse with him. When I finally was leaving the steamer he made some apology for his rude conduct, and expressed personally his approval of the manner in which I had carried out my orders. We parted company from the Trent at 3.20 p. m.

Very respectfully, your obedient servant,

D. M. FAIRFAX,
Lieutenant and Executive officer.

Captain CHARLES WILKES, U. S. N.,
Commanding San Jacinto.

No. 5.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 12, 1861.

SIR: In accordance with your instructions, I submit the following. On November 8th, between 1 and 2 p. m., I was ordered by Lieutenant Breese, acting executive officer, to shove off with the 3d cutter, and go alongside of the English mail steamer, which was then lying-to under our guns. In the boat with me were Third Assistant Engineer Hall, Paymaster's Clerk Simpson, Master's Mate Dahlgren, one sergeant, one corporal, and six privates, of marines; four machinists and the crew, consisting of thirteen men, the whole party being well armed. When I arrived on the steamer I was met on the guard by Mr. Grace, with a message from Lieutenant Fairfax (who had preceded me on board) to bring the marines on board and station them outside of the cabin, which I did; also to keep the spare men on the guard, and to have the boat's crews in readiness to jump on board if needed. As soon as the marines were stationed, I had the space outside and forward of the cabin kept clear of passengers, and assumed a position where I could see Lieutenant Fairfax, who was then engaged in conversation with persons in the cabin. He shortly came out and told me to remain as I was. He then went back into the cabin, and in a few minutes returned with Mr. Mason. He had his hand on his shoulder, and I think Mr. Hall had his on the other one. He transferred Mr. Mason to me, and I had the third cutter hauled up, into which he got. Shortly after Mr. McFarland came out and got into the boat; I think he was unaccompanied by any of the officers.

About this time I heard a good deal of loud talking in the cabin, and above all I heard a woman's voice. I could not hear what she said. Mr. Fairfax appeared to be having an altercation with some one. There was much confusion created by the passengers and ship's officers, who were making all kinds of disagreeable and contemptuous noises and remarks.

Just then Mr. Houston came to me and said he thought there would be trouble. I told him to ask Mr. Fairfax if I should bring in the marines. He returned with an answer to bring them in. At that time I heard some one call out "shoot him." I ordered the marines to come into the cabin, which they did at quick time. As they advanced the passengers fell back. Mr. Fairfax then ordered the marines to go out of the cabin, which they did, Mr. Slidell at the same time jumping out of a window of a state-room into the cabin, where he was arrested by Mr. Fairfax, and was then brought by Mr. Hall and Mr. Grace to the boat, into which he got. Soon after Mr. Eustis came to the boat, accompanied by Mr. Fairfax. I then, by his order, took charge of the boat and conveyed the gentlemen arrested, viz: Messrs. Slidell, Mason, McFarland, and Eustis, to the San Jacinto, where I delivered them over to Captain Wilkes. This was about 2 o'clock. I then returned to the steamer; when I reached her the baggage of the gentlemen was being brought up and sent to the San Jacinto. Soon after Mr. Fairfax told me to send the marines and spare hands on board, which I did. He then left me in charge of our party and went on board the San Jacinto. About 3 o'clock she ran under the Trent's stern; I was hailed and directed to come on board, which I did with all excepting Mr. Grace, Mr Dahlgren and Mr. Hall, who came in another boat.

Very respectfully, your obedient servant,

JAMES A. GREER, *Lieutenant.*

Captain C. Wilkes,
Commanding San Jacinto.

P. S. I desire to add that it was about 1.35 p. m. when I went alongside the Trent. There were but two armed boats used during the day; a third boat, the crew of which were unarmed, went alongside during the detention. When I first went on board with the marines, and at intervals during my stay, the officers of the steamer made a great many irritating remarks to each other and to the passengers, which were evidently intended for our benefit. Among other things said were: "Did you ever hear of such an outrage?" "Marines on board! why, this looks devilish like mutiny." "These Yankees will have to pay well for this." "This is the best thing in the world for the South; England will open the blockade." "We will have a good chance at them now." "Did you ever hear of such a piratical act?" "Why, this is a perfect Bull's Run!" "They would not have dared to have done it if an English man-of-war had been in sight!" The mail agent, (a man in the uniform of a commander in the royal navy, I think,) was very indignant and talkative, and tried several times to get me into a discussion of the matter. I told him I was not there for that purpose. He was very bitter; he told me that the English squadron would raise the blockade in twenty days after his report of this outrage (I think he said outrage) got home; that the northerners might as well give up now, &c., &c. Most all the officers of the vessel showed an undisguised hatred for the northern people, and a sympathy for the Confederates. I will do the captain of the vessel the justice to say that he acted differently from the rest, being, when I saw him, very reserved and dignified. The officers and men of our party took no apparent notice of the remarks that were made, and acted with the greatest forbearance.

Respectfully,

JAS. A. GREER.

No. 6.

United States Steamer San Jacinto,
At sea, November 13, 1861.

Sir: In obedience to your order of the 11th instant, I respectfully report:

That upon going alongside of the English steamer Trent, on the 7th of this month, Lieutenant Fairfax went on board, ordering the boatswain and myself to remain in the boat. A few minutes after this my attention was attracted by persons speaking in a loud and excited manner upon the steamer's upper deck. While considering its meaning the noise was repeated, which decided me to join Lieutenant Fairfax immediately on board, and found him surrounded by the officers of the ship and passengers, among whom I recognized Messrs. Mason, Slidell, and Eustis. The confusion at this time passes description. So soon, however, as he could be heard, the mail agent (who was a retired lieutenant or commander in the British navy) protested against the act of removing passengers from an English steamer. Lieutenant Fairfax requested Mr. Mason to go quietly to the San Jacinto, but that gentleman replied that he would "yield only to force;" whereupon I was ordered to our ship to report the presence of the above-named gentlemen, together with Mr. McFarland, and ask that the remainder of our force be sent to the Trent, after which I returned to her, and entering the cabin saw Mr. Fairfax endeavoring to enter Mr. Slidell's room, which was then prevented in a measure by the excitement which prevailed in and around that gentleman's quarters. The passengers (not including Mr. Mason, Slidell, Eustis, or McFarland) were disposed to give trouble; some of them went so far as to threaten, and upon Lieutenant Greer being informed by me of this fact, he ordered the marines to clear the passage-way of the cabin, but as Mr. Slidell had now come out of his state-room through the window, where we could get to him, the order to the marines was countermanded by Lieutenant Fairfax. Mr. Slidell was removed to the boat by Mr. Grace and myself, and no more force was used than would show what would be done in case of necessity. Mr. Mason was taken in charge of by Lieutenant Fairfax and Third Assistant Engineer Hall. The two secretaries walked into the boat by themselves.

While we were on board of the Trent many remarks were made reflecting discreditably upon us and the government of the United States. No one was more abusive than the mail agent, who took pains at the same time to inform us that he was the only person on board officially connected with her Britannic Majesty's government, who he said would, in consequence of this act, break the blockade of the southern United States ports. Another person, supposed to be a passenger, was so violent that the captain ordered him to be locked up. A short time before leaving the steamer I was informed by one of her crew that the mail agent was advising the captain to arm the crew and passengers of his ship, which I immediately communicated to Lieutenant Greer. About 3.30 p. m. we returned to the San Jacinto.

I am, respectfully, your obedient servant,

J. B. HOUSTON,
Second Assistant Engineer U. S. Steamer San Jacinto.

Captain Charles Wilkes, *Commanding.*

No. 7.

United States Steamer San Jacinto,
At sea, November 13, 1861.

Sir: In obedience to your order of the 11th instant, I respectfully make the following report of what came under my observation on board the mail steamer Trent whilst hove-to under our guns on the 8th instant:

I boarded the steamer in the third cutter, under the command of Lieutenant Greer. Immediately on reaching the steamer's deck I stationed four men, (an oiler, assistant oiler, and two firemen,) who accompanied me, in the port gangway. I then went into the cabin, where I saw Lieutenant Fairfax, surrounded by a large number of passengers and the officers of the ship. He was conversing with Mr. Mason, and endeavoring to get him to come peaceably on board this ship. Mr. Mason refused to comply unless by force, and taking hold of Mr. Mason's coat collar, gave an order, "Gentlemen, lay hands on him." I then laid hold of him by the coat collar, when Mr. Mason said he would yield under protest. I accompanied him as far as the boat, which was at the port gangway.

Returning to the cabin, Lieutenant Fairfax was at Mr. Slidell's room. After a short time Mr. Slidell came from his room through a side window. He also refused Lieutenant Fairfax's order to come on board this ship, unless by force. I, with several of the officers, then caught hold, and used sufficient power to remove him from the cabin. He was accompanied to the boat by Second Assistant Engineer Houston and Boatswain Grace. I then received an order from both Lieutenants Fairfax and Greer to retain the boat until Messrs. Eustis and McFarland were found. I remained in the gangway till Messrs. Mason, Slidell, Eustis, and McFarland shoved off, Lieutenant Greer having charge of the gentlemen.

There was a great deal of excitement and talking during the whole time, the officers of the steamer endeavoring particularly to thwart Lieutenant Fairfax in carrying out his orders. They also used very harsh expressions towards us, calling us pirates, piratical expedition, &c., and threatened to open our blockade in a few weeks. At one time the officers and passengers made a demonstration, at the moment the marine guard came hastily in the cabin, but were immediately ordered back by Lieutenant Fairfax.

As far as I am able to judge, everything was conducted on our part in a peaceable, quiet, and gentlemanly manner, and most remarkably so by Lieutenant Fairfax, who certainly had sufficient cause to resort to arms. I remained aboard the Trent till after the baggage belonging to the gentlemen had been sent, and finally returned to this ship with Lieutenant Greer.

Most respectfully, your obedient servant,

GEO. W. HALL,
Third Assistant Engineer, U. S. N.

Captain Charles Wilkes,
Commanding U. S. Steamer San Jacinto.

No. 8.

United States Steamer San Jacinto,
At sea, November 12, 1861.

Sir: In compliance with your order of yesterday, I have the honor to state the following: Between the hours of 1.30 and 2 p. m., on Friday, November 8, I boarded the mail steamer Trent in the 3d cutter, under the command of Lieutenant James A. Greer, of this ship. Immediately after my arrival on board the Trent I was called into the cabin by Lieutenant Fairfax, who was endeavoring to persuade Mr. Mason to go peaceably on board the San Jacinto, which he obstinately refused to do, and said he would only go by force. Lieutenant Fairfax then said, "Gentlemen," (addressing the officers of this ship then present, Mr. George W. Hall, 3d assistant engineer; Mr. H. P. Grace, boatswain, and myself,) "lay your hands on Mr. Mason," which we accordingly did. Mr. Mason then said, "I yield to force," or words to that effect, when a gentleman alongside in uniform, apparently an officer of the Trent, said, "*under protest.*" Mr. Mason then said, "*I yield to force under protest, and will go.*" There was a great deal of excitement on board at this time, and the officers and passengers of the steamer were addressing us by numerous opprobrious epithets, such as calling us pirates, villains, traitors, &c., &c. The above occurred on the port side of the cabin. Immediately after I was ordered by Lieutenant James A. Greer to take charge on the starboard side, as some of our boats were coming alongside to take the personal effects of the prisoners. I remained there until 3.15 p. m., when I was ordered by Lieutenant James A. Greer to return on board the San Jacinto in charge of a portion of the prisoners' baggage.

I am, sir, very respectfully, your obedient servant,

ROBERT G. SIMPSON,
Paymaster's Clerk.

Captain CHARLES WILKES,
Commanding U. S. Steamer San Jacinto.

No. 9.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 12, 1861.

SIR: In obedience to your order, I hereby state that I was one of those who boarded the Trent mail packet. Mr. Mason and Mr. McFarland stepped quietly into the boats, and were removed to the San Jacinto. Mr. Slidell, however, on a flat refusal to leave the ship in any other manner, was, by a gentle application of force, placed in the boat and removed.

Everything was conducted in an orderly, gentlemanly manner, as far as it came under my observation.

I remain your obedient servant,

CHARLES B. DAHLGREN,
Master's Mate.

Captain CHARLES WILKES.

No. 10.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 12, 1861.

SIR: In obedience to your orders of the 12th instant, I have the honor to make the following statement:

On the 8th instant, about 1.30 p. m., I was ordered to accompany Lieutenant D. M. Fairfax, in the second cutter, to board the mail steamer Trent, then hove-to under the guns of the San Jacinto. Lieutenant Fairfax ordered Mr. Houston and myself to remain in the boat while he went on board. A few minutes after Mr. Fairfax boarded her we heard some loud talking on deck, and Mr. Houston went on board to see if Mr. Fairfax needed assistance. He shortly returned and delivered Lieutenant Fairfax's order that I should come on board with the crew. I came on board, found Mr. Fairfax surrounded by ladies and gentlemen, and reported to him. He ordered me to remain in the gangway with the men. He was talking at the time with Mr. Mason, persuading him to come on board the San Jacinto without further force being used. Soon after another boat came alongside, in charge of Lieutenant James A. Greer. He went in the cabin. Soon afterwards Lieutenant Fairfax ordered me to wait on Mr. Slidell to the boat. At this order some of the passengers began to shout, and the marines rushed in the cabin, but Lieutenant Fairfax ordered them back to the gangway. I saw Mr. Slidell in the second cutter. Messrs. Mason, Eustis, and McFarland were in the boat. Mr. Greer returned with those gentlemen to the San Jacinto, and I was charged to bring the baggage and effects of the gentlemen on board the San Jacinto, which I did, and reported my return to Lieutenant Breese. All the officers of this ship that boarded her have been grossly abused by the officers and passengers of the mail steamer.

I am, sir, very respectfully, your obedient servant,

H. P. GRACE,
Boatswain U. S. Navy.

Captain CHARLES WILKES,
Commanding U. S. Steamer San Jacinto.

No. 11.

Copy from the log-book of the United States steamer San Jacinto, commanded by Captain Charles Wilkes, United States navy.

AT SEA, *Friday, November* 8, 1861.

From 8 a. m. to meridian: As per calculation, lying to off Paredon lights; at 10.30 a bark in sight to the eastward and a schooner to the northward; at 11.40 made out a steamer to the westward.

K. R. BREESE.

From meridian to 4 p. m: Moderate breezes from the northward and eastward, and pleasant; at 12.55 beat to quarters, hoisted the colors and loaded the guns; at 1.05 fired a shot across the bows of the steamer in sight showing English colors; at 1.17, the steamer close on us and not stopping, fired another shot across her bows, at which she stopped; hailed her, and at 1.20 Lieutenant Fairfax, in the second cutter, with an armed crew, boarded the vessel; at 1.35 sent Lieutenant Greer, in the third cutter to the assistance of Mr. Fairfax; at 2 he returned, bringing Messrs. Slidell, Mason, Eustis, and McFarland, and then returned to the steamer; received on board the baggage of the above gentlemen and some stores for their use; ran to leeward of the steamer; at 3.20 she stood to the eastward; at 3.30 hoisted up our boats and stood to the northward and westward.

K. R. BREESE.

No. 12.

United States Steamer San Jacinto,
At sea, November 9, 1861.

Sir: We desire to communicate to you, by this memorandum, the facts attending our arrest yesterday on board the British mail steamer Trent, by your order, and our transfer to this ship.

We, the undersigned, embarked at Havana, on the 7th instant, as passengers on board the Trent, Captain Moir, bound to the Island of St. Thomas, the Trent being one of the regular mail and passenger line of the British Royal Mail Steamship Company, running from Vera Cruz, via Havana, to St. Thomas, and thence to Southampton, England. We paid our passage money for the whole route from Havana to Southampton to the British consul at Havana, who acts as the agent or representative of the said steamship company, Mr. Slidell being accompanied by his family consisting of his wife, four children, and a servant, and Mr. Eustis by his wife and servants.

The Trent left the port of Havana about 8 o'clock a. m. on the morning of the 7th instant, and pursued her voyage uninterruptedly until intercepted by the United States steamer San Jacinto, under your command, on the day following (the 8th instant) in the manner now to be related.

When the San Jacinto was first observed several miles distant the Trent was pursuing the usual course of her voyage along the old Bahama or Nicholas channel; was about two hundred and forty miles from Havana, and in sight of the light-house of Paradon Grande, the San Jacinto then lying stationary, or nearly so, about the middle of the channel, and where it was some fifteen miles wide, as since shown us on the chart, the nationality of the ship being then unknown. When the Trent had approached near enough for her flag to be distinguished it was hoisted at the peak and at the main, and so remained for a time. No flag was shown by the San Jacinto. When the Trent had approached within a mile of the San Jacinto, still pursuing the due course of her voyage, a shotted gun was fired from the latter ship across the course of the Trent, and the United States flag at the same time displayed at her peak. The British flag was again immediately hoisted, as before, by the Trent, and so remained. When the Trent had approached, still on her course, within from two to three hundred yards of the San Jacinto a second shotted gun was fired from your ship again across the course of the Trent. When the Trent got within hailing distance her captain inquired what was wanted. The reply was understood to be they would send a boat, both ships being then stationary, with steam shut off. A boat very soon put off from your ship, followed immediately by two other boats, with full crews, and armed with muskets and side-arms. A lieutenant in the naval uniform of the United States, and with side-arms, boarded the Trent, and, in the presence of most of the passengers then assembled on the upper deck, said to Captain Moir that he came with orders to demand his passenger list. The captain refused to produce it, and formally protested against any right to visit his ship for the purpose indicated. After some conversation, importing renewed protests on the part of the captain against the alleged object of the visit, and on the part of the officer of the San Jacinto that he had only to execute his orders, the latter said that two gentlemen (naming Mr. Slidell and Mr. Mason) were known to be on board, as also two other gentlemen, (naming Mr. Eustis and Mr. McFarland,) and that his orders were to take and carry them on board the San Jacinto. It should have been noted that on first addressing the captain the officer announced himself as a lieutenant of the United States steamer San Jacinto. The four gentlemen thus named being present, the lieutenant, addressing Mr. Slidell, and afterwards Mr. Mason, repeating that his orders were to take them, together with Mr. Eustis and Mr. McFarland, and carry them on board his ship, which orders he must execute. Mr. Slidell and Mr. Mason, in reply, protested, in the presence of the captain of the Trent, his officers and passengers, against such threatened violation of their persons and of their rights, and informed the lieutenant that they would not leave the ship they were in unless compelled by the employment of actual force greater than they could resist, and Mr. Eustis and Mr. McFarland united with them in expressing a like purpose. That officer stated that he hoped he would not be compelled to resort to the use of force, but if it would become necessary to employ it in order to execute his orders, he was prepared to do so. He was answered by the undersigned that they would submit to such force alone. The lieutenant then went to the gangway, where his boats were, the undersigned going at the same time to their state-rooms, on the deck next below, followed by Captain Moir and by the other passengers. The lieutenant returned with a party of his men, a portion of whom were armed with side-arms, and others, appearing to be a squad of marines, having muskets and bayonets. Mr. Slidell was at this time in his state-room, immediately by, and in full view. The lieutenant then said to Mr. Mason that, having his force now present, he hoped to be relieved from the necessity of calling it into actual use. That gentleman again answered that he would only submit to actual force greater than he could overcome, when the lieutenant and several of his men, by his order, took hold of him in a manner and in numbers sufficient to make resistance fruitless, and Mr. Slidell joining the group at the same time, one or more of the armed party took like hold of him, and those gentlemen at once went into the boat. During this scene many of the passengers became highly excited, and gave vent to the strongest expressions of indignation, seeming to indicate a purpose of resistance on their part, when the squad armed with muskets, with bayonets fixed, made sensible advance of one or two paces, with their arms at a charge. It must be added here, omitted in the course of the narration, that before the party left the upper deck an officer of the Trent, named Williams, in the naval uniform of Great Britain, and known to the passengers as having charge of the mails and accompanying them to England, said to the lieutenant that, as the only person present directly representing his government, he felt called upon, in language as strong and as emphatic as he could express, to denounce the whole proceeding as a piratical act.

Mr. Slidell and Mr. Mason, together with Mr. Eustis and Mr. McFarland, against whom force in like manner had been used, were taken to the San Jacinto as soon as they entered the boat. When they reached your ship you received them near the gangway, announcing yourself as Captain Wilkes, the commander of the ship, and conducted them to your cabin, which you placed at their disposal. When the undersigned came on board they found the men at their quarters, and the guns bearing on the Trent. After some time occupied in bringing on board our baggage and effects, the San Jacinto proceeded to the northward, through the Sautaren channel, the Trent having been detained from three to four hours.

The foregoing is believed to be a correct narrative in substance of the facts and circumstances attending our arrest and transfer from the British mail steamer to the ship under your command, and which we doubt not will be corroborated by the lieutenant present, as well as by all who witnessed them.

The incidents here given in detail may not have been witnessed by each one of the undersigned individually, but they were by one or more of them. As for the most part they did not pass under your notice, we have deemed it proper to present them in this form before you, expressing the wish that, if considered incorrect in any part, the inaccuracies may be pointed out.

With a respectful request that you will transmit a copy of this paper to the government of the United States, together with your report of the transaction, to facilitate which a copy is herewith enclosed,

We have the honor to be, very respectfully, your obedient servants,

JOHN SLIDELL.
J. M. MASON.
GEORGE EUSTIS.
J. E. McFARLAND.

Captain WILKES,
U. S. Navy, Commanding San Jacinto.

No. 13.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 13, 1861.

GENTLEMEN: Your letter dated the 9th instant was handed to me yesterday. I shall transmit it, agreeably to your request, to the Hon. Secretary of the Navy, with my report of the transaction to which it refers.

In reply to your wish to have any inaccuracies it may contain pointed out, I deem it my duty to say the facts differ materially in respect to the time and circumstances.

1st. The facts in my possession are derived from the log-book, (the official record of the ship;) and 2d, from the reports, in writing, of all the officers who visited the Trent; all which will form a part of my report.

I am, very respectfully, your obedient servant,

CHARLES WILKES.

Messrs. JOHN SLIDELL, JAMES M. MASON, GEORGE EUSTIS, and J. E. MCFARLAND.

UNITED STATES STEAMER SAN JACINTO,
At sea, November 16, 1861.

SIR: In my despatch by Commander Taylor I confined myself to the reports of the movements of this ship and the facts connected with the capture of Messrs. Mason, Slidell, Eustis, and McFarland, as I intended to write you particularly relative to the reasons which induced my action in making these prisoners.

When I heard at Cienfuegos, on the south side of Cuba, of these commissioners having landed on the island of Cuba, and that they were at the Havana, and would depart in the English steamer of the 7th November, I determined to intercept them, and carefully examined all the authorities on international law to which I had access, viz: Kent, Wheaton, and Vattel, besides various decisions of Sir William Scott, and other judges of the admiralty court of Great Britain, which bore upon the rights of neutrals and their responsibilities.

The governments of Great Britain, France, and Spain, having issued proclamations that the Confederate States were viewed, considered, and treated as belligerents, and knowing that the ports of Great Britain, France, Spain, and Holland, in the West Indies, were open to their vessels, and that they were admitted to all the courtesies and protection vessels of the United States received, every aid and attention being given them, proved clearly that they acted upon this view and decision, and brought them within the international law of search and under the responsibilities. I therefore felt no hesitation in boarding and searching all vessels of whatever nation I fell in with, and have done so.

The question arose in my mind whether I had the right to capture the *persons* of these commissioners, whether *they* were amenable to capture. There was no doubt I had the right to capture vessels with *written* despatches; they are expressly referred to in all authorities, subjecting the vessel to seizure and condemnation if the captain of the vessel had the knowledge of their being on board; but these gentlemen were not despatches in the literal sense, and did not seem to come under that designation, and nowhere could I find a case in point.

That they were commissioners I had ample proof from their own avowal, and bent on mischievous and traitorous errands against our country, to overthrow its institutions, and enter into treaties and alliances with foreign States, expressly forbidden by the Constitution.

They had been presented to the captain general of Cuba by her Britannic Majesty's consul general, but the captain general told me that he had not received them in that capacity, but as distinguished gentlemen and strangers.

I then considered them as the *embodiment* of despatches; and as they had openly declared themselves as charged with all authority from the Confederate government to form treaties and alliances tending to the establishment of their independence, I became satisfied that their mission was adverse and criminal to the Union, and it therefore became my duty to arrest their progress and capture them if they had no passports or papers from the federal government, as provided for under the law of nations, viz: "That foreign ministers of a belligerent on board of neutral ships are required to possess papers from the other belligerent to permit them to pass free."

Report and assumption gave them the title of ministers to France and England; but inasmuch as they had not been received by either of these powers, I did not conceive they had immunity attached to their persons, and were but escaped conspirators, plotting and contriving to overthrow the government of the United States, and they were therefore not to be considered as having any claim to the immunities attached to the character they thought fit to assume.

As respects the steamer in which they embarked, I ascertained in the Havana that she was a merchant vessel plying between Vera Cruz, the Havana, and St. Thomas, carrying the mail by contract.

The agent of the vessel, the son of the British consul at Havana, was well aware of the character of these persons; that they engaged their passage and did embark in the vessel; his father had visited them and introduced them as ministers of the Confederate States on their way to England and France.

They went in the steamer with the knowledge and by the consent of the captain, who endeavored afterwards to conceal them by refusing to exhibit the passenger list and the papers of the vessel. There can be no doubt he knew they were carrying highly important despatches, and were endowed with instructions inimical to the United States. This rendered his vessel (a neutral) a good prize, and I determined to take possession of her, and, as I mentioned in my report, send her to Key West for adjudication, where, I am well satisfied, she would have been condemned for carrying these persons, and for resisting to be searched. The cargo was also liable, as all the shippers were knowing to the embarkation of these *live* despatches, and their traitorous motives and actions to the Union of the United States.

I forbore to seize her, however, in consequence of my being so reduced in officers and crew, and the derangement it would cause innocent persons, there being a large number of passengers who would have been put to great loss and inconvenience, as well as disappointment, from the interruption it would have caused them in not being able to join the steamer from St. Thomas to Europe. I therefore concluded to sacrifice the interests of my officers and crew in the prize, and suffered the steamer to proceed, after the necessary detention to effect the transfer of these commissioners, considering I had obtained the important end I had in view, and which affected the interests of our country and interrupted the action of that of the confederates.

I would add that the conduct of her Britannic Majesty's subjects, both official and others, showed but little regard or obedience to her proclamation, by aiding and abetting the views and endeavoring to conceal the persons of these commissioners.

I have pointed out sufficient reasons to show you that my action in this case was derived from a firm conviction that it became my duty to make these parties prisoners, and to bring them to the United States.

Although in my giving up this valuable prize I have deprived the officers and crew of a well-earned reward, I am assured they are quite content to forego any advantages which might have accrued to them under the circumstances.

I may add that, having assumed the responsibility, I am willing to abide the result.

I am, very respectfully, your obedient servant,

CHARLES WILKES, *Captain.*

Hon. GIDEON WELLES,
Secretary of the Navy

UNITED STATES STEAMER SAN JACINTO,
November 15, 1861.

SIR: Before leaving your ship we think it proper that we should state that since we have been on board of her we have uniformly been treated with great courtesy and attention.

Very respectfully, your obedient servants,

JOHN SLIDELL,
J. M. MASON,
J. E. McFARLAND,
GEORGE EUSTIS.

Captain WILKES,
Commanding United States Steamer San Jacinto.

List of vessels purchased by the Navy Department for naval purposes.

Name.	Class.	Guns.	Tonnage.	Dimensions..			When purchased.	Where purchased.	Cost.
				Length.	Breadth.	Depth.			
				Feet.	*Feet.*	*Feet.*	1861.		
Connecticut*	Side-wheel steamer	5	1,800	250	38	22.6	July 18	New York	$200,000
De Sota	do	9	1,600	242.6	37.2	24	August 21	do	161,250
Quaker City	do	5	1,600	......	......	......	August 12	do	117,500
St. Jago de Cuba	do	10	1,567	229	38	19	Sept. 6	do	200,000
Bienville	do	9	1,558	238.6	37	22.6	August 21	do	161,250
Rhode Island†	do	7	1,517	236.6	36.8	18.4	July 18	do	185,000
Keystone State	do	9	1,364	222.7	35.9	17.9	June 10	Philadelphia	125,000
Augusta	do	9	1,310	220.8	35.4	21.10	August 1	New York	96,940
Florida	do	9	1,261	214	35.3	22.4	August 12	do	87,500
Alabama	do	9	1,261	214	35.3	22.4	August 1	do	93,388
State of Georgia	do	5	1,204	214	34.4	17.2	Sept. 25	Philadelphia	89,025
James Adger	do	9	1,151	215	33.6	21.3	July 26	New York	85,000
Hatteras‡	do	4	1,100	210	34	18	Sept. 25	Philadelphia	110,000
Commodore Perry	do	2	513	143	33	12	October 2	New York	38,000
Commodore Barney§	do	2	513	143	33	12	October 2	do	38,000
John P. Jackson	do	2	787	192	33.6	12.10	Nov. 6	do	60,000
Morse‖	do	2	513	143	33	12	Nov. 7	do	40,000
Westfield	do	4	1,022	......	......	......	......	......	90,000
Wyandank	do	2	399	132.4	31.4	10.8	Sept. 1 2	New York	19,000
Delaware	do	5	357	156	27	9	October 14	Philadelphia	45,000

Underwriter	do	3	341	170	23.6	8.10	August 23	New York	18, 500
Ellen	do	4	341	125.6	28.6	10.6	October 10	do	23, 100
Yankee	do	3	328	146	25.6	9.6	June 1	do	19, 000
Whitehall	do	4	323	126	28.10	10	October 10	do	24, 150
Thomas Freeborn	do	1	269	140	24	8.6	May 7	do	32, 500
Jacob Bell	do	2	229	141.3	21	8.1	August 22	do	12, 000
Stepping Stones	do	2	226	114	24	7	Sept. 30	do	20, 000
Sattelite	do	2	217	120.7	22.9	8.6	July 24	do	19, 000
Mercury	do	2	187	121	22	7	August 17	do	21, 000
Shawsheen	do	2	180	118	22.6	7.3	Sept. 21	do	20, 000
John L. Lockwood	do	3	180	......	......	......	Sept. 1	do	16, 000
O. M. Pettit	do	3	165	106	24.4	7	August 17	do	15, 000
W. G. Putnam	do	3	149	103.6	22	7.2	July 24	do	14, 000
J. N. Seymour	do	2	133	102.3	20	7	October 26	do	18, 000
Island Belle	do	2	123	100	20.4	6.7	Sept. 4	do	14, 000
		155	25, 788	......	......	......	....	....	2, 328, 103
R. R. Cuyler	Screw steamer	8	2, 100	238	32.4	22	August 24	New York	165, 000
Varina	do	9	1, 300	......	......	......	....	Mystic, Ct	135, 000
South Carolina	do	5	1, 165	217.9	33.5	25	May 3	Boston	172, 500
Massachusetts	do	5	1, 155	219.8	33.1	25	May 3	do	172, 500
Flambeau	do	2	950	180	30	18	Nov. 14	New York	100, 000
Flag¶	do	9	938	198	32	16	April 27	Philadelphia	90, 000
Cambridge	do	5	858	200	32	......	July 30	Boston	75, 000
Mercedita	do	9	1, 021	182	30	15	....	New York	100, 000
Huntsville	do	3	817	200	29.10	19	August 24	do	90, 000
Montgomery	do	5	787	201.5	28.6	19.8	August 24	do	90, 000
Daylight	do	4	682	162	30	19	October 12	do	55, 000

*Name changed from Mississippi.

§Name changed from Ethan Allen.

†Name changed from Eagle.

‖Name changed from Marion.

‡Name changed from St. Mary.

¶ Name changed from Phineas Sprague.

List of vessels purchased by the Navy Department for naval purposes—Continued.

Name.	Class.	Guns.	Tonnage.	Dimensions.			When purchased.	Where purchased.	Cost.
				Length.	Breadth.	Depth.			
				Feet.	*Feet.*	*Feet.*	1861.		
Monticello	Screw steamer	3	655	175	28	16.6	Sept. 12	New York	$71,000
Mount Vernon	do	3	625	168.6	28	15.6	do	do	71,000
Isaac Smith	do	9	453	171.6	31.4	9	Sept. 9	do	50,000
Western World	do	3	441	178	33	8	Sept. 21	do	37,500
Norwich	do	5	431	137	26	13	Sept. 26	Norwich, Ct	43,137
Stars and Stripes	do	5	407	147	34	9	July 27	New Haven, Ct	55,000
Dawn	do	2	391	154	28.8	9.8	October 12	New York	35,000
Penguin	do	3	389	155	30	9	May 23	do	75,000
Albatross	do	3	378	150	30	9.1	do	do	75,000
R. B. Forbes	do	3	329	121	25.6	11.7		Boston	52,500
Louisiana	do	5	395	143	27	8	July 10	Philadelphia	35,000
Potomska	do	5	287	137.7	26	8.6	Sept. 25	New York	33,000
Wamsutta	do	5	270	129.3	26.8	8.6	Sept. 20	do	27,000
Victoria	do	3	254	118	22	10.8	October 31	do	25,000
New London	do	5	221	125	25	7.8	August 26	do	30,000
Madgie	do	3	218	122.8	22.6	8.4	October 14	do	13,000
Sachem	do	5	197	121	23.6	7.6	Sept. 20	do	10,000
Currituck*	do	5	193	119	23.4	7.6	do	do	10,000
Uncas	do	5	192	118.6	23.4	7.6	do	do	10,000
E. B. Hale	do	4	192	106.6	28.6	7.2	July 27	do	23,000

Valley City	do	4	190	127	21.10	7.6	July 26	do	18,000
Henry Andrew	do	3	177	150	26	7.6	Sept. 10	do	24,000
Ceres	do	1	144	120	22	6.8	Sept. 11	do	12,100
Patron	do	5	183	113	22.5	7.8	October 28	do	15,500
Whitehead	do	2	136	93	20	8	October 17	do	12,000
Rescue	do	1	111	80	18	8.6	August 21	do	17,300
Cohasset†	do	2	100	82	18.10	7.2	Sept. 30	Providence, R. I.	14,500
Henry Brinker	do	1	108	91	22	6	October 29	New York	13,000
Resolute	do	1	90	84.6	16.6	7	May 7	do	15,000
Reliance	do	1	90	64.6	16.6	7	do	do	15,000
A. C. Powell	do	1	65	61.9	17.2	7.7	October 3	do	5,000
Young Rover	Auxiliary steam bark	5	418	141.3	25.1	17	July 27	Boston	27,500
		175	20,403	......	......	......	....	....	2,215,037
Pampero	Ship	4	1,375	202.3	38.2	19.1	July 7	New York	29,000
Fearnot	do	6	1,012	178	35	23.6	July 20	Boston	40,000
National Guard	do	4	1,046	162.9	37.8	18.10	July 6	New York	35,000
Nightingale‡	do	4	1,000	......	......	......	....	do	13,000
Morning Light	do	8	937	172	34.3	17.1	Sept. 2	do	37,500
Ino	do	8	895	160.6	34.11	19.5	August 26	Boston	40,000
Onward	do	2	874	159	34.8	20.6	Sept. 9	New York	27,000
Shepherd Knapp	do	8	838	160.10	33.8	22.3	August 28	do	35,718
Kittatinney§	do	3	421	132.8	28.6	12.1	Sept. 21	Philadelphia	14,735
Courier	do	2	554	135	30	15	Sept. 7	New York	20,000
Charles Phelps	do	1	362	107.6	27.6	13.9	June 24	New London	7,000
Roman	do	1	350	112.11	26.2	13.1	May 22	New Bedford	7,400
William Badger	do	1	334	106	26.6	13.3	do	do	7,150
		52	9,998	......	......	......	....	....	313,503

*Name changed from Seneca. †Name changed from E. D. Fogg. ‡Purchased at marshal's sale. §Name changed from Stars and Stripes.

List of vessels purchased by the Navy Department for naval purposes—Continued.

Name.	Class.	Guns.	Tonnage.	Dimensions.			When purchased.		Where purchased.	Cost.
				Length.	Breadth.	Depth.				
				Feet.	*Feet.*	*Feet.*	1861.			
J. C. Kuhn	Bark	4	888	153	35.6	18.6	July	6	New York	$32,000
Gemsbok	...do	6	622	141.7	31	17	Sept.	7	Boston	29,000
Pursuit	...do	6	603	144	34.10	15.1	Sept.	3	New York	22,000
William G. Anderson	...do	6	593	149.7	30.1	14.3	August	23	Boston	27,500
Ethan Allen	...do	6	556	153.3	30.1	14	....do		...do	27,500
Arthur	...do	6	554	134.6	20.1	18.6	August	1	New York	20,000
Braziliera	...do	6	540	135.8	28.7	15.2	July	10	....do	22,000
James L. Davis	...do	2	461	133	30.7	12.6	Sept.	29	Philadelphia	23,900
Roebuck	...do	4	455	135	27	14.6	July	21	New York	20,000
King Fisher	...do	4	450	121.4	28.8	14.4	August	2	Boston	17,000
James C. Chambers	...do	2	401	124.6	29.5	12.1	Sept.	24	Philadelphia	14,000
Gem of the Sea	...do	4	371	116	26.3	13.5	August	3	New York	15,000
Midnight*	...do	4	386	126	27.10	12.1	July	31	....do	19,000
Amanda	...do	6	368	117.6	27.9	12.6	August	6	....do	15,000
A. Houghton	...do	2	326	116.2	25.6	12	October	12	....do	11,500
Fernandina†	...do	6	297	115	29	......	July	29	....do	14,000
Restless	...do	4	265	108.8	27.8	9.11	August	26	....do	12,000
Horace Beale	Barkantine	......	296	......	......	......	Sept.	14	....do	16,000
		78	8,432	......	......	......	....		....	357,400

Norfolk Packet	Schooner	2	349	108.6	27.10	17	Sept. 10	....do	12,000
Maria A. Wood	....do	2	344	125	29.3	10.4	Sept. 21	Philadelphia	18,000
Rachel Seaman	....do	2	303	114.8	30.1	9.10	Sept. 20	....do	18,000
T. A. Ward	....do	2	284	114.6	28.2	9.2	October 9	New York	11,300
George Mangham	....do	2	274	110	28	10	Sept. 21	Philadelphia	9,500
Adolph Hugel	....do	2	269	109.6	29.7	9.4	....do	....do	15,000
Henry Janes	....do	2	261	111	29.7	9	Sept. 27	New York	11,000
Racer	....do	4	252	107.6	28.9	9.3	August 29	....do	7,500
John Griffith	....do	4	246	113.8	......	8.4	Sept. 16	....do	8,000
Sidney C. Jones	....do	2	245	......	......	......	......	....do	10,500
Sarah Bruen	....do	2	233	105.10	27	9.2	Sept. 3	....do	7,000
Sophronia	....do	2	217	104.6	28.4	8.4	....do	....do	8,000
Samuel Rotan	....do	2	212	110.7	28.5	7.7	Sept. 21	Philadelphia	11,000
C. P. Williams	....do	2	210	103.8	28.3	8.2	Sept. 2	New York	6,000
Oliver H. Lee	....do	2	199	100.9	28.4	8	August 27	....do	7,000
Arletta	....do	2	199	100	26.6	8.6	Sept. 7	....do	8,500
Para	....do	1	190	98	24	9	Sept. 9	....do	10,500
William Bacon	....do	2	183	95	26.6	8.4	Sept. 5	....do	6,000
Matthew Vassar, jr	....do	2	182	93.7	27.2	8.3	Sept. 9	....do	7,500
Maria J. Carlton	....do	2	178	98	27	7.8	......	....do	7,200
Orvetta	....do	2	171	93	27.2	7.10	October 1	....do	8,000
Dan Smith	....do	2	149	89	25	7.11	Sept. 9	....do	8,000
Chotank ‡	....do	1	53	56	17	6	......	....do	1,250
		48	5,203	......	......	......	......	......	216,790

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* Name changed from Dawn.

† Name changed from Florida.

‡ Purchased at marshal's sale. Formerly the Privateer Savannah, prize to the Perry.

List of vessels purchased by the Navy Department for naval purposes—Continued.

Name.	Class.	Guns.	Tonnage.	Dimensions.			When purchased.	Where purchased.	Cost.
				Length.	Breadth.	Depth.			
				Feet.	*Feet.*	*Feet.*	1861.		
Sea Foam	Brig	2	264	112.3	26	10	Sept. 14	New York	$10,000
Bohio	..do	2	196	97.6	24.8	9.2	Sept. 9	....do	9,000
		4	460						19,000
Clifton	Side-wheel steamer.	5	892				Nov. 22	....do	90,000
George W. Blunt	Schooner	1	121	76.6	20.6	8.9	Nov. 23	....do	10,000
Hope	....do	1	134					....do	15,000

List of vessels built or building at the navy yards and under contract for the navy during the year 1861.

Name.	Class.	Place of building.	Builder of hull.	Price of hull.	Builder of machinery.	Price of machinery.
Kearsarge*	Screw sloop	Portsmouth navy yard.	Government		Woodruff & Beach, Hartford, Ct.	$104, 000
Ossipee*	do	do	do		Reliance Machine Co., Mystic, Ct.	93, 000
Sacramento*	do	do	do		Taunton Locomotive Manuf'g Co.	117, 000
Wachusett*	do	Boston navy yard	do		George W. Quintard, New York	104, 000
Housatonic*	do	do	do		Jabez Corry & Co., Boston	110, 000
Canandaigua*	do	do	do		Atlantic Works do	110, 000
Adirondack*	do	New York navy yard.	do		Novelty Works, New York	125, 000
Ticonderoga*	do	do	do		Allaire Works do	110, 000
Oneida*	do	do	do		Murphy & Co do	102, 000
Lackawanna*	do	do	do		George W. Quintard do	110, 000
Juniata*	do	Philadelphia navy yard.	do		Pusey, Jones & Co., Wilm'ton, Del.	95, 000
Tuscarora*	do	do	do		Merrick & Sons, Philadelphia	102, 000
Monongahela*	do	do	do		do do	110, 000
Shenandoah*	do	do	do		do do	110, 000
Tahoma†	Screw gunboat	Wilmington, Del.	W. & A. Thatcher	$53, 500	Reany, Son & Archbold, Chester, Penn.	46, 500
Wissachickon†	do	Philadelphia	John Lynn	53, 500	Merrick & Sons	45, 000
Sciota†	do	do	Jacob Birely	52, 000	Isaac P. Morris & Co.	44, 000
Itasca†	do	do	Hillman & Streaker	53, 500	do do	45, 000
Unadilla†	do	New York	John Englis	56, 500	Novelty Iron Works, New York	31, 500
Ottawa†	do	do	J. A. Westervelt	56, 500	do do	31, 500
Pembina†	do	do	Thomas Stack	56, 500	do do	31, 500

List of vessels built or building at the navy yards, &c.—Continued.

Name.	Class.	Place of building.	Builder of hull.	Price of hull.	Builder of machinery.	Price of machinery.
Seneca†	Screw gunboat	New York	Jere'h Simonson	$56, 500	Novelty Iron Works, New York	$31, 500
Chippewa†	do	do	Webb & Bell	55, 000	Morgan Iron Works, New York	46, 000
Winona†	do	do	C. & R. Poillon	55, 000	Allaire Works ... do	46, 000
Owasco†	do	Mystic river, Ct	Maxon, Fish & Co.	53, 000	Novelty Iron Works ... do	46, 500
Kanawha†	do	East Haddam, Ct.	E. G. & W. H. Goodspeed.	52, 000	Pacific Iron Works, Bridgeport, Ct.	45, 500
Cayuga†	do	Portland, Me	Gildersleeve & Son	52, 000	Woodruff & Beach, Hartford, Ct	45, 500
Huron†	do	Boston	Paul Curtis	55, 000	Harrison Loring, Boston	46, 000
Chocura†	do	do	Curtis & Tilden	53, 500	do ... do	45, 000
Sagamore†	do	do	A. & G. Sampson	55, 000	Atlantic Works, Boston	46, 000
Marblehead†	do	Newburyport, Ms.	G. W. Jackman, jr.	53, 000	Highland Iron Works, Newburg, New York.	43, 000
Kennebec†	do	Thomaston, Me	G. W. Lawrence	55, 000	Novelty Iron Works, New York	45, 500
Aroostook†	do	Kennebunk, Me	N. W. Thompson.	52, 000	do ... do	47, 500
Kineo†	do	Portland, Me	J. W. Dyer	53, 000	Morgan Iron Works, New York	46, 500
Katahdin†	do	Bath, Me	Larrabee & Allen.	52, 000	do ... do	45, 500
Penobscot†	do	Belfast, Me	C. P. Carter	52, 000	Allaire Works, New York	45, 000
Pinola†	do	Baltimore, Md	J. J. Abrahams	52, 000	Charles Reeder, Baltimore	46, 000
Sebago‡	Side-wheel steamer	Portsmouth navy yard.	Government		Novely Iron Works, New York	50, 000
Mohaska‡	do	do	do		Morgan Iron Works ... do	50, 000
Sonoma‡	do	do	do		Novelty Iron Works ... do	50, 000
Conemaugh‡	do	do	do		do ... do	50, 000
Maratanza‡	do	Boston navy yard	do		Harrison Loring, Boston	48, 000
Tioga‡	do	do	do		Morgan Iron Works, New York	50, 000

Genesee‡	do	do	do		Neptune Iron Works...do	50, 000
Octorora‡	do	New York navy yard.	do		do...do	48, 000
Port Royal‡	do	do	Thomas Stack		Vessel complete for	100, 000
Miami‡	do	Philadelphia navy yard.	Government		Merrick & Sons, Philadelphia	48, 000
Cimerone‡	do	Bordentown, N. J.	D. S. Merchon		Vessel complete for	100, 000
Paul Jones‡	do	Baltimore, Md	J. J. Abrahams	50, 000	Reany, Son & Archbold, Chester, Penn.	50, 000
(Not named)§	Iron-clad steamer	Mystic, Ct	Bushnell & Co		Vessel complete for	235, 000
Do.§	do	New York	John Ericsson		Vessel complete for	280, 000
Do.§	do	Philadelphia	Merrick & Sons		Vessel complete for	780, 000

* About 1,200 tons each, carrying about 7 guns each.

† About 500 tons each, carrying about 4 guns each.

‡ About 700 tons each, carrying about 4 guns each.

§ About 4,600 tons altogether, carrying 6, 12, and 18 guns.

List of old vessels that have been purchased and loaded with stone for the purpose of sinking and closing certain ports of the States in insurrection.

Name.	Class.	Tons.	When purchased.	Where purchased.	Cost.
John Alexander	Schooner.		Aug. 13	Baltimore	$2,000
Ellen Goldsborough	do		do	do	1,500
Mary and Hetty	do		do	do	1,500
Alverado	do		do	do	1,200
Southerner	do		do	do	900
South Wind	do		do	do	1,500
Wm. L. Jones	do		do	do	600
Delaware Farmer	do		do	do	500
Mary Frances	do		do	do	800
Geo. P. Upshur	do		do	do	800
Orion	do		do	do	800
Sarah Bibby	do		do	do	800
Patriot	do		do	do	600
Hero	do		do	do	600
Sarah M. Kemp	do		do	do	800
Augustus Holly	do		do	do	600
W. W. Burns	do		do	do	1,000
Friendship	do		do	do	1,100
E. D. Thompson	do		do	do	600
Wm. L. Bartlett	do		do	do	400
Sommerfield	do		do	do	1,500
Cambria	do		do	do	1,500
Corea	Ship	356	Oct. 16	New London	2,300
Tenedos	Bark	245	do	do	1,650
Lewis	Ship	308	do	do	3,250
Fortune	Bark	292	do	do	3,250
Robin Hood	Ship	395	do	Mystic	4,000
Archer	do	322	Oct. 17	New Bedford	3,360
Cossack	Bark	254	do	do	3,200
Amazon	do	318	do	Fairhaven	3,675
Frances Henrietta	do	407	do	New Bedford	4,000
Garland	do	243	Oct. 18	do	3,150
Harvest	do	314	Oct. 21	Fairhaven	4,000
American	do	329	do	Edgartown	3,370
Timor	Ship	289	do	Sag Harbor	2,200
Meteor	do	324	do	Mystic	4,000
Rebecca Sims	do	400	Oct. 22	Fairhaven	4,000
L. C. Richmond	do	341	Oct. 23	New Bedford	4,000
Courier	do	381	do	do	5,000
Maria Theresa	do	330	Oct. 24	do	4,000
Kensington	do	357	do	do	4,000
Herald	do	274	do	do	4,000
Potomac	do	356	Oct. 28	Nantucket	3,500
Peter Demil	Bark	300	do	New York	2,600
Phœnix	Ship	404	do	New London	3,150
Leonidas	Bark	231	Nov. 1	New Bedford	3,050
South America	do	606	do	do	3,600

List of old vessels, &c.—Continued.

Name.	Class.	Tons.	When purchased.	Where purchased.	Cost.
Edward	Bark	274	Nov. 1	New York	$4,000
Mechanic	Ship	335	....do....	Newport	4,300
Messenger	Bark	216	....do....	Salem	2,250
India	Ship	366	....do....	New Bedford	5,500
Noble	Bark	274	....do....	Sag Harbor	4,300
Valparaiso	Ship	402	....do....	New Bedford	5,500
New England	....do....	368	....do....	New London	5,000
Dove	Bark	151	....do....	....do....	2,500
Newburyport	Ship	341	....do....	Boston	4,500
Wm. Lee	....do....	311	....do....	Newport	4,200
Emerald	....do....	518	....do....	Sag Harbor	5,500
Majestic	Bark	297	....do....	New Bedford	3,150
Stephen Young	Brig	200	....do....	....do....	1,600
					160,205

REPORT ON PURCHASE OF VESSELS.

New York, *November 29*, 1861.

Sir: I have the honor respectfully to report that, acting under your letter of 15th July, and subsequent letters and telegraphs, authorizing purchases of vessels selected by the naval constructor, ordnance officer, and engineer appointed for this purpose, I immediately, on the arrival of these officers, suggested a plan which was adopted, whereby every suitable vessel in port should have a proper examination. A steam-tug was placed at the disposal of these officers, who proceeded almost daily for many weeks to inspect the various vessels in the harbor, and, in the performance of this duty, I deemed it proper to accompany them. Each vessel supposed to be suitable for naval service was personally inspected by the naval constructor and ordnance officer, and the steam vessels by both these officers and the engineer. When they approved any vessel, I was authorized to make the purchase, with the privilege of rejection, if, on a closer examination as to the soundness of her hull and machinery, she should not be acceptable to the naval constructor and engineer. With such approval in writing, and upon such conditions, I proceeded to negotiate with the owners directly in all cases where they resided in the city, and with their authorized agents when they resided elsewhere, stating to the sellers in every instance that the government instructed me to buy directly of owners, and without the intervention of any third party; that the government had authorized me to make the purchases upon the usual mercantile basis, as established by the Chamber of Commerce in this city, viz: a commission of two and a half per cent. on the amount of price agreed upon, to be paid by the seller, as customary in purchases by private individuals. No higher commission has in any instance been paid, nor any sum or brokerage paid to any other party, with my knowledge or consent; on the contrary, in conformity with my understanding of my relations to the government, I have invariably taken the position that no other brokerage or percentage would be allowed.

The attention of the naval commission was first directed to the steamships of moderate size and draught, in accordance with the instructions of the department, as it was deemed most important to secure these, as they would form an important auxiliary to the navy, and the number to be obtained, of tonnage and draught corresponding with your instructions, being limited.

Afterwards, sailing vessels and steam-tugs and ferry-boats were examined and purchased. The fullest opportunity has been afforded to owners to offer their vessels to the government, both by public advertisement and personal notification, and no one has offered his vessel, if at all suitable, without its being inspected; nor has there been any partiality or preference exhibited in the inspection or purchase of any vessel; but frequently, when owners have felt a desire to have their vessels re-examined, their wishes have been complied with. As soon as any vessel was purchased she was delivered by her owner to the ship yard selected by the naval constructor, and her inventory received and examined by me, and the furniture and fittings of the purchased vessels placed in a storehouse, subject to the order of the department. The amount thus received was very large, and has since been delivered to the various naval vessels fitting out for service here, and to the commandant of the navy yard, under your order. I have regarded the duty you have devolved upon me to be most responsible and important; and while I have endeavored to protect the interests of the government, I have also endeavored to act with the strictest impartiality and justice towards every owner of vessels offered for sale. In being confined in my purchases entirely to the vessels approved by the naval commission, and their examination and approval being necessarily known, in nearly every case, to the owners before negotiations were begun, and in many instances acting under peremptory orders to buy at once and send forward without delay, I feel that I have not always been able to purchase at prices as low as I could have wished, but in all cases I am conscious that I have acted in this responsible trust for the government faithfully and to the best of my ability. I hand herewith a detailed report of all my purchases, showing the name of the seller, the name of the vessel, her tonnage, price asked, and price paid.

Trusting that further and final examination of my action may confirm the approbation I have had the honor to receive from time to time from the government,

I have the honor to remain, with high respect, your obedient servant,

GEO. D. MORGAN.

Hon. Gideon Welles,
Secretary of the Navy, Washington.

Statement of vessels purchased.

Of whom purchased.	Name of vessel.	Tonnage.	Price asked.	Price paid.
J. H. Brower & Co	Ship National Guard	1, 049	$40, 000	$35, 000
Do	Bark J. C. Kuhn	888	35, 000	32, 000
James Bishop & Co	Ship Pampero	1, 375	35, 000	29, 000
S. L. Mitchell & Son	Steamship Mississippi	2, 000	250, 000	200, 000
Spofford, Tileston & Co	Steamship Eagle	1, 550	250, 000	185, 000
C. S. Bushell	Steam-propeller Stars and Stripes	407	65, 000	55, 000
Bushnell & Mallory	Steam-propeller Varuna	1, 300	145, 000	135, 000
Mr. Hammond	Steam-tug Satellite	150	37, 000	36, 000
Do	Steam-tug W. G. Putnam	123		
Spofford, Tileston & Co	Steamship James Adger	1, 152	125, 000	85, 000
Kirkland & Von Sachs	Bark Braziliera	540	25, 000	22, 000
H. Atwater	Propeller Valley City	190	19, 000	18, 000
E. & D. Bigelow & Co	Propeller E. B. Hale	220	25, 000	23, 000
Reynolds & Cushman	Bark Roebuck	455	24, 000	20, 000
Do	Bark Dawn	387	21, 000	19, 000
S. L. Mitchell & Co	Steamship Augusta	1, 310	130, 000	96, 000
Do	Steamship Alabama	1, 261	120, 000	23, 000
Galway & Teller	Bark Gem of the Seas	371	23, 000	15, 000
W. A. Sale & Co	Bark Arthur	554	22, 500	20, 000
Mailler & Houghton	Bark Florida	411	17, 000	14, 000
Hargous & Co	Steamship Quaker City	1, 428	135, 000	117, 500
Moses Taylor & Co	Bark Amanda	368	17, 500	15, 000
Livingston, Crockeron & Co	Steamship De Soto	1, 675	370, 000	322, 500
Do	Steamship Bienville	1, 600		
R. Coffin & Co	Steam-tug Mercury	183	40, 000	36, 000
Do	Steam-tug O. M. Pettit	130		
D. T. Glover & F. R. Anthony	Steam-tug Jacob Bell	229	14, 000	12, 000

H. B. Cromwell & Co	Steam-propeller R. R. Cuyler	2,040	400,000	305,870
Do	Steam-propeller Huntsville	840		
Do	Steam-propeller Montgomery	840		
Union Ferry Company	Steam ferry-boat Wyandank	400	20,000	19,000
John R. Don	Brig Sea Foam	251	12,000	10,000
Horace Beals & Co	Bark Horace Beals	296	20,000	16,000
H. Holdredge	Propeller Potomska	287	42,000	33,000
Do	Propeller Wamasutta	270	38,000	27,000
S. Schuyler	Tug Young America	180	22,000	20,000
Edward Haight, president	Ferry-boat Stepping Stones	....	21,000	20,000
S. Schuyler	Propeller Western World	....	50,000	37,500
Dudley Buck, president	Propeller Uncas	190	12,000	10,000
Do	Propeller Sachem	180	12,000	10,000
Do	Propeller Seneca	180	12,000	10,000
Van Brunt & Slaight	Schooner Henry Janes	260	12,000	11,000
A. C. Powell	Tug A. C. Powell	90	5,000	5,000
State of Rhode Island	Tug Narragansett	100	14,500	14,500
E. & D. Bigelow & Co., agents	Schooner Orvetta	171	10,000	8,000
George E. Goodspeed	Schooner Sidney C. Jones	245	12,500	10,500
Mr. Warner, of Haddam	Schooner Maria J. Carlton	178	10,000	7,200
Williamsburg Ferry Company	Ferry-boat Commodore Perry	512	40,000	38,000
Do.......do	Ferry-boat Ethan Allen	512	40,000	38,000
R. F. Loper	Propeller Madgie	220	15,000	13,000
S. S. Wyckoff	Schooner T. A. Ward	284	12,500	11,300
H. A. Brigsten	Bark A. Houghton	330	12,500	11,500
Barston, Pope & Co	Propeller Daylight	650	65,000	55,000
Do	Propeller Dawn	400	45,000	35,000
J. M. Huntington & Co	Propeller Norwich	450	43,600	43,600
Henry Brincker	Propeller H. Brincker	109	15,000	13,000
R. F. Loper	Propeller Patroon	186	16,000	15,500
Mr. Shultz	Tug J. N. Seymour	140	18,500	18,000

Statement of vessels purchased—Continued.

Of whom purchased.	Name of vessel.	Tonnage.	Price asked.	Price paid.
Charles Burrill	Propeller Mercedita	1, 070	$130, 000	* $100, 000
Peter Crary	Tug-boat Ceres	150	15, 000	12, 000
Everett & Hawley	Bark Restless	266	15, 000	12, 000
S. L. Mitchell & Co	Steamship Florida	1, 261	120, 000	87, 500
New London Propeller Company	Steam-propeller New London	240	50, 000	30, 000
	Schooner Racer	200	8, 500	7, 500
Dallner & Potter	Schooner Sarah Bruin	233	9, 000	7, 000
Lawrence Giles & Co	Ship Shepard Knapp	838	40, 000	36, 872
Job Falkenburgh	Schooner C. P. Williams	210	7, 500	6, 000
Charles Clark	Schooner Sophronia	217	9, 000	8, 000
Do	Schooner O. H. Lee	199	9, 000	7, 000
J. B. Sardy, agent	Ship Morning Light	910	43, 000	37, 500
Fabri & Chauncey	Bark Pursuit	603	23, 000	22, 000
Luther Adams	Steam-tug Island Belle	150	16, 000	14, 000
W. B. Thomas & Co	Ship Courier	554	22, 500	20, 000
H. W. Benedict	Schooner Arletta	200	10, 000	8, 500
O. W. Miller	Schooner Dan Smith	150	9, 500	8, 000
Booth & Vassar	Schooner M. Vassar, jr	216	8, 500	7, 500
Van Brunt & Slaight	Schooner William Bacon	183	7, 500	6, 000
B. F. Woolsey	Schooner John Griffith	240	9, 000	8, 000
James Bishop & Co	Schooner Para	200	11, 500	10, 500
John Ogden	Ship Onward	874	30, 000	27, 000
H. & W. Delafield	Brig Bohio	197	10, 000	9, 000
Mr. Van Santvont	Propeller H. Andrews	....	26, 000	24, 000
E. J. Hamilton	Propeller Isaac Smith	....	67, 000	50, 000
P. Crary	Tug John E. Lockwood	180	20, 000	16, 000

George E. Goodspeed	Schooner Norfolk Packet	349	14,000	12,000
H. B. Cromwell & Co	Propeller Monticello	650	†194,000	150,000
Do	Propeller Mount Vernon	650		
New Jersey Ferry Company	Ferry-boat J. P. Jackson	700	60,000	60,000
Brooklyn Ferry Company	Ferry-boat Morse	512	40,000	40,000
A. Degraw	Propeller Victoria	260	35,000	25,000
Paul J. Forbes	Propeller Flambeau	950	110,000	100,000

List of vessels chartered for the use of the navy since April 1, 1861.

Name of vessel.	Date of charter.	Expiration.	Paid per month.	Paid per day.	Aggregate amount.	Of whom chartered.	Remarks.
	1861.	1861.					
‡Union	April 24	Nov. 24	$7,000 00		$49,000 00	Merrick & Sons	Philadelphia.
Keystone State	April 19	June 5		$600	28,800 00	A. Heron, jr., agent O. S. N. Co	Do.
Mount Vernon	April 23	August 23	8,000 00		32,000 00	H. B. Cromwell & Co	New York.
Monticello	April 23	July 29	8,000 00		25,548 39	do	Do.
Huutsville	April 24	July 24	10,000 00		30,000 00	do	Do.
Montgomery	May 2	August 2	10,000 00		30,000 00	do	Do.
R. R. Cuyler	April 29	July 29	12,500 00		37,500 00	do	Do.
Dawn	April 26	October 4	7,000 00		36,866 66	Barstow & Pope	Do.
Daylight	May 10	October 4	8,000 00		38,400 00	do	Do.
Quaker City	May 25	July 25		600	36,600 00	Hargous & Co	Do.
James Guy	May 23	July 15		20	1,060 00	Lucien L. Page	Washington.
Adelaide			20 days	600	12,000 00	Baltimore Steam Packet Co	Baltimore.
George Peabody			20 days	600	12,000 00	Powhattan Steamboat Co	Do.
‡J. L. Pusey	Aug. 24	Sept. 23	31 days	30	930 00	B. Andrews Knight	Washington.
Tempest	Aug. 14	October 9	56 days	100	5,600 00	William Applegarth & Son	Baltimore.
Curlew	Sept. 15	Nov. 15	7,500 00		15,000 00	Corliss Steam Engine Co	Providence, R. I.
					391,305 05		

* Owners add $15,000 to cost in addition. † Including charter money due. ‡ Still under charter.

Statement of vessels seized, captured, and

Class and name.	Belonging to—	Where from.	Where bound.	Cargo.
Schooner Cambria	Baltimore	Baltimore	Norfolk	Coal, 108 tons
Tug Young America	Norfolk	Norfolk	Rebel service	None
Schooner Geo. M. Smith	New York.	New York	Wilmington	Gun-garriages, &c
Schooner Sarah and Mary	Plymouth, N. C.	Alexandria	Norfolk	Coal, 75 tons
Schooner Carrie	Baltimore	Richmond	Fredericksburg	Coal, 147 tons
Schooner A. J. Russell	do			Cotton, 106 bales
Schooner Laurie	New Jersey	James river	New York	Wood
Schooner Elite	Baltimore	Petersburg	Norfolk	Coal, 3,905 bushels
Schooner Mary and Virginia	do	Alexandria	Petersburg	Coal, 117 tons
Schooner Theresa C.	Philadelphia	Richmond	New York	Cotton, 114 bales
Schooner Dorothy Haines	Baltimore	Baltimore	Norfolk	Hay.
Schooner Mary Willis	do	Richmond	Baltimore	Tobacco
Schooner Delaware Farmer		do	do	do
Schooner Emily Ann		do	do	do
Schooner J H. Etheridge		Petersburg		do
Schooner Mary		Richmond	Baltimore	do.
Schooner William and John		Petersburg		do
Schooner William Henry		Richmond		do
Schooner Belle Conway		do	Baltimore	do
Schooner Industry		do	do	Hay and steam-boiler.
Ship Argo	Bath, Me	do	Bremen	Tobacco
Ship North Carolina	Norfolk	Havre	Norfolk	In ballast
Schooner Crenshaw				Tobacco
Bark General Green				Sugar and honey
Schooner H. M. Johnson				Assorted
Schooner Arcola		Baltimore	New York	Corn and merchandise
Ship General Parkhill	Charleston, S. C.	Liverpool	Charleston	
Schooner Haxall				
Bark Octavia				
Schooner Almira Ann		Chickohomony		Timber
Bark Star		Richmond	Bremen	Tobacco
Schooner Tropic Wind				
Bark Hiawatha	England			
Bark Pioneer	Richmond			Salt.
Bark Winifred	do	Rio de Janeiro	Richmond	Coffee, 4,200 bags
Schooner Mary Clinton	New Orleans	Charleston	New Orleans	Rice, merch'dise, &c.
Schooner Iris				
Schooner Catharine				
Bark H. E. Spearing		Rio de Janeiro	New Orleans	Coffee
Schooner Lynchburg				Coffee, 6,106 bags
Schooner F. W. Johnson	Norfolk			Railroad iron
Schooner Union				Provisions
Schooner Aid				
Schooner Savannah			Privateering	
Ship Perthshire	England	Mobile	Liverpool	Cotton
Brig Hallie Jackson	Savannah	Matanzas	Savannah	Molasses
Brig Forest King	Massachusetts	Rio de Janeiro	New Orleans	Coffee
Ship Amelia		Liverpool	Charleston	Assorted
Brig Amy Warwick	Richmond	Rio de Janeiro	Richmond	Coffee
Schooner John Hamilton				
Brig Nahum Stetson	New Orleans	Tampico	New Orleans	Specie, $2,000 Mex
Sloop Alena				
Bark Sallie Magee	Richmond	Rio de Janeiro	Richmond	Coffee, flour, &c
Schooner Sally Mears	Yorktown			
Schooner Achilles	New Orleans	Port St. Louis	Chandeleur isl'd	In ballast
Schooner Brilliante	Campeachy	New Orleans		Flour, &c
Schooner Tros Freres	New Orleans	do	Mobile	Iron
Schooner Olive Branch	Mobile	Mobile	New Orleans	Turpentine, 100 bbls.
Schooner Fanny	New Orleans	New Orleans	Mobile	Bricks
Schooner Basilide	do	do	do	Salt and oats
Schooner Venus	do	Calcasieu	Port Lavaca	Lumber
Schooner McCanfield	Galveston	do	Galveston	do.
Schooner Falcon	Quintana	Quintana	Indianola	General
Schooner Louisa	Galveston	Calcasieu	Galveston	Lumber

destroyed by vessels in the naval service, 1861.

When seized.	Where seized.	By what vessel.	Sent to—	Final disposition.
April 23	Hampton Roads.	United States sloop-of-war Cumberland; Flag Officer G. J. Pendergrast.		Cargo used, vessel released.
24	do			Taken into the naval service.
24	do		New York	
May 1	do			Cargoes, or portions thereof, used for the public service, and the vessels released by the flag-officer.
2	do			
3	do			
4	do			
4	do			
4	do			
4	do			
11	do			
14	do	United States frigate Minnesota; Flag-Officer S. H. Stringham.	Philadelphia.	Vessels and cargoes released.
14	do		do	
14	do		do	
15	do			
15	do			
15	do			
15	do			
15	do			
15	do			Cargo used, vessel released.
14	do		New York	
14	do		do	Condemned; appealed to circuit court.
			do	Condemned; appealed to circuit court; decree confirmed.
			do	Condemned; appealed to circuit court.
			do	Released by court.
May 22	Hampton Roads	Minnesota	Baltimore	Case open.
12	Off Charleston	Niagara	Philadelphia.	Condemned; cargo and vessel sold.
—	Hampton Roads	Minnesota	New York	Released by the government.
—	do		do	Do. do.
17	do			
17	do		New York	
20	do		Washington	Released, recaptured by the the army, and released by court at New York.
20	do		New York	Condemned; appealed to circuit court; decree affirm'd.
25	do		do	Condemned; appealed to circuit court.
25			do	Do. do.
30	Off mouth of Mississippi	Powhatan	do	Case open.
27	Hampton Roads	Minnesota	Washington	
27	do	do	do	
29	Off mouth of Mississippi	Brooklyn	Key West	
			New York	Condemned; appealed to circuit court.
June 1	Capes of the Chesapeake.	Union	Baltimore	Case open.
5		Harriet Lane		
5	Mobile bay.	Niagara		Converted into a tender.
3	Off Charleston	Perry	New York	Condemned; purchased by the Navy Department.
9	Gulf of Mexico	Massachusetts		Released by flag-officer.
10	Off Savannah	Union	New York	Condemned; appealed to circuit court.
13	Off Key West	Mississippi	do	One-eighth part condemned; appealed to circuit court.
18	Off Charleston	Wabash and Union	Philadelphia.	Condemned; vessel and cargo sold.
10	Hampton Roads	Minnesota	Boston	Case open.
20	do	Daylight	Washington	
19	South Pass of Mississippi	Brooklyn & Massachusetts	Key West	
15	Potomac river	Steamboat Mount Vernon.	Washington	
26	Hampton Roads		New York	Case open.
July 1	do	Minnesota	Washington	
June 17	Off Chandeleur island	Massachusetts	Key West	
23	Mississippi sound	do	do	
23	do	do	do	
23	do	do	do	
23	do	do	do	
23	do	do	do	
July 4	Off Galveston	South Carolina		Worthless; released.
4	do	do		Do. do.
5	do	do	New York	Condemned.
4	do	do		Worthless; released.

Statement of vessels seized, captured, and destroyed

Class and name.	Belonging to—	Where from.	Where bound.	Cargo.
Schooner Dart	Galveston	Berwick bay	Galveston	None
Schooner Ann Ryan	Lake Charles	Lake Charles	Port Lavaca	Lumber
Schooner Tom Hicks	Galveston	Calcasieu	do	do
Schooner Carolia	do	Berwick bay	do	General
Schooner Geo. G. Baker	do	do	Galveston	Assorted
Schooner Sam Houston	do	do	do	In ballast
Schooner Shark	do	do	do	Assorted
Schooner T. J. Chambers		Calcasieu	do	Lumber
Schooner Geo. B. Sloat				
Bark Pilgrim	New Orleans	France	New Orleans	Brandies and wines
Schooner Mary	Washington, N.C.			None; abandoned
Schooner C. P. Knapp				
Schooner Gipsey				
Schooner Monticello				
Pungy Ocean Wave	Great Wicomico			
Schooner Petrel	Charleston, S. C.	Charleston.	Privateering	None
Schooner Prince Leopold				
Schooner Herbert				
Bark Solferino				
Schooner Velasco	Galveston	Matanzas		Sugar
Brig Herald.	England	Beaufort	Liverpool	Naval stores
Schooner Teaser				
Schooner Ringdove	Georgetown, D. C.	Philadelphia		Pig iron, nails, &c
Schooner Brunette	do	Baltimore		Pig iron and vitriol
Schooner Favorite				
Schooner Elizabeth Ann				
Schooner Enchantress		Boston	St. Jago	Assorted
Sloop Leon				
Sloop H. Day				
Sloop Jane Wright				
Longboat Morning Star				
Sloop Richard Lacey				Wood
Schooner Mary Alice				
Schooner Sarah Starr		Wilmington		
Brigantine Hannah Balch				
Bark Alverado		Cape Town	Boston	
Sloop Chas. Henry	Mobile		Fishing	Fish
Schooner Abbie Bradford				
Schooner Albion		Cardenas		
Schooner H. Middleton	Charleston	Charleston	Liverpool	Turpentine, 496 casks; rosin, 65 barrels.
Schooner Louisa	Wilmington, N. C.		Wilmington	
Schooner Remittance		Port Tobacco	Baltimore	Tobacco and grain
Schooner Aigburth	England			Molasses
Ship Finland				
Schooner Extra	Baltimore			Wheat, 29 sacks
Schooner Good Egg				
Schooner Eagle				
Sloop T. J. Evans		Baltimore	Annamissic river.	Percussion caps, pistols, &c.
Schooner Colonel Long	Charleston			Assorted
Bark Meaco		Rio de Janeiro	New Orleans	Coffee, 3,000 bags
Schooner Mary Wood				Salt and molasses
Schooner Ocean Wave				Coffee, sugar, &c
Schooner H. C. Brooks			Liverpool	Cot'n, turp'tine, & tar.
Schooner Henry Nutt	Philadelphia			Mahogany
Schooner Harriet Ryan				
Schonner Susan Jane	Nevis, W. I.	Halifax		Assorted
Schooner Revere	Yarmouth, N. S.	Beaufort	Key West	Salt and herrings
Schooner Toledad Cos	Tampico	Vera Cruz	Matamoras	Coffee, 20 tons

by vessels in the naval service, 1861—Continued.

When seized.	Where seized.	By what vessel.	Sent to—	Final disposition.
July 4	Off Galveston	South Carolina		Converted into a tender.
4	do	do		Cargo taken out; ves'l burnt.
9	do	do		Cargo taken out; vess'l sunk.
5	do	do		Cargo sent north.
6	do	do	Philadelphia	
7	do	do		Converted into a tender.
—	do	do	New York	Case open.
—	do	do	Pensacola	
5	Off St. Mark's, Fla.	Mohawk	Key West	
7	Off Pass à l'Outre	Brooklyn	do	
13	Off Lockwood inlet, N. C.	Roanoke		Destroyed.
		Santee	Key West	
July 24	Potomac river			
26	Rappahannock river	Daylight	Baltimore	Recaptured; was a prize to the rebel steamer St. Nicholas; court restored her to her owners, citizens of Maryland.
18	Potomac river	Resolute		
28	Off Charleston	St. Lawrence		Sunk by the guns of the St. Lawrence.
			New York	Released by court.
July 18	Off coast of N. Carolina	Albatross	do	Condemned.
	do ... do	St. Lawrence	Philadelphia	Case open.
July 5	Potomac river	Dana	Washington	Released by department.
16	Eastern shore of Maryland	Potomac flotilla	do	Do. do.
16	do ... do	do	do	Do. do.
16	do ... do	do		Lost off Piney Point.
	Off coast of Virginia	Albatross	Philadelphia	Liberated.
July 22		do	do	Recaptured; was a prize to the Jeff. Davis; case open.
25	Potomac river	Thos. Freehorn	Washington	Returned to owner.
	do	do	do	Do.
Aug. 2	do	do	do	Returned to owner; subsequently destroyed by Capt. Craven.
—	do	do	do	
—	do	do	do	
3		Wabash	New York	Recaptured; was a prize to the Dixie.
3	Off Wilmington, N. C.		do	Case open.
	Off Charleston	Wabash		Was recaptured by rebel steamer off Hatteras.
Aug. 6	Off St. Mary's river	Jamestown		A prize to the Jeff. Davis; got aground, and was burn by the Jamestown.
7	Off Chandeleur island	Massachusetts		
13	Off mouth of Mississippi	Powhatan	Philadelphia	Recaptured; was a prize to the Sumter; $2,000 to captors; vessel liberated.
16	Off Charleston	Roanoke	do	Case open.
21	do	Vandalia	New York	Do.
11	Off Cape Fear river	Penguin		Chased ashore by the P. and was lost.
28	Potomac	Yankee	Washington	
31	30° 22′ N., 80° 46′ W.	Jamestown	New York	Case open.
26	Apalachicola bay	R. R. Cuyler		Burnt by boat expedition from the R. R. C.
29	Rappahannock river	Daylight	Philadelphia	Case open.
29	do	do		
21		Resolute	Washington	
Sept. 1	Clay island, Chesapeake	Dana	do	
4	At sea	Jamestown		Cargo taken out; vessel scuttled.
5	Off mouth of Mississippi	Brooklyn and St. Louis	Philadelphia	
9	Hatteras inlet	Pawnee	do	Condemned; vessel and cargo sold.
9	do	do	do	Case open.
9	do	Naval expedition	New York	Recaptured; were prizes to the rebels. H. C. Brooks released on payment of salvage.
9	do	do	Philadelp'a	
9	do	Pawnee	Philadelphia	Condemned; sale ordered.
10	do	do	do	Case open.
10	Off Beaufort, N. C.	Cambridge	Boston	Do.
11	Off Galveston	South Carolina		Vessel useless.

Statement of vessels seized, captured, and destroyed

Class and name.	Belonging to—	Where from.	Where bound.	Cargo.
Schooner Harmony				
Schooner San Juan	Eliz. City, N. C.	Anquilla	Elizabeth City	Salt, sugar, and gin
Schooner Prince Alfred				Rum, sugar, &c
Schooner Baltimore	Elizabeth City	Turk's Island	Elizabeth City	Salt, sugar, and coffee.
Schooner Louisa Agnes		Lunenburg		Fish
Schooner Edwin		Barbadoes		Molasses
Schooner Julia		St. John's, N. B.		Tins, medicines, &c
Schooner Ezilda		Havana	Matamoras	Arms and coffee
Schooner Beverly	Halifax, N. S	Halifax		
Schooner Alert	England	Nassau	St. John's, N. B.	Molasses, salt, & fruit.
Brig Ariel				
Schooner Jos. H. Toone		Havana	Tampico	Arms and munitions of war.
Ship Thos. Watson		Liverpool	Charleston	Salt, blankets, &c
Schooner Specie	Savannah	Savannah	Havana	Rice
Schooner Ed. Barnard		Mobile	Nassau	Turpentine, 600 bbls.
Schooner Reindeer			Galveston	Salt, 16 bags
Her. brig Delta		Liverpool	Matanzas	Salt
Steamer Salvor		Havana	Tampa Bay	Arms, &c
Schooner Hartord	Baltimore			Wheat and tobacco
Brig Ariel		Liverpool	Wilmington, N. C.	Salt
Schooner Fanny Lee	Nassau	Darien	Nassau	Rice and tobacco
Schooner Bachelor				
Schooner Judith				
Schooner Somerset				
Schooner ———				
Schooner ———				
Schooner ———				
Sloop T. W. Riley				
Schooner Buena Vista	Baltimore	Baltimore	St. Mary's	Assorted
Yacht Wanderer		Havana	New Orleans	
Schooner Beauregard	Charleston	Charleston	Privateering	None
S. T. Garrison				
A valuable canoe		Maryland	Virginia	
Schooner Fairwind				
Schooner Mabel		Havana	New York	Contraband generally.
Schooner Argonaut				

by vessels in the naval service, 1861—Continued.

When seized.		Where seized.	By what vessel.	Sent to—	Final disposition.
		Off Hatteras	Gemsbok	Philadelphia.	Case open.
Sept.	28	Off Hatteras inlet	Susquehanna	do	Do.
	28	do	do	do	Do.
	29	do	do	New York	
		Off Beaufort, N. C	Cambridge	do	Do.
		do	do		
		do	do	Boston	No claim; will be condemned in default.
Sept.	30	Off Barrataria bay	South Carolina		Converted into a tender; cargo sent to New York.
Oct.	3		Gemsbok	Baltimore	Condemned, & sale ordered.
	6	Off Charleston.	Roanoke and Flag	do	Do. do.
	6	do	Vandalia		
	1	Off Barrataria bay	South Carolina		Cargo sent to New York; vessel recaptured in the Mississippi river.
	15	Near Charleston	Roanoke and Flag		Chased ashore and burnt.
	12	31° 16′ N., 80° 35′ W.	Dale	Philadelphia.	Case open.
	16	Off Pass à l'Outre	South Carolina		Cargo sent to N. York; vessel unseaworthy, and sunk.
			Dart, tender to the South Carolina.		Worthless; scuttled.
Oct.	27	Off Galveston	Santee	New York	Case open.
	13	Near Tortugas.	Keystone State	Philadelphia.	Do.
Sept.	18	Pope's creek, Maryland	Rescue	Washington.	
Oct.	20	Off Wilmington, N. C.	Gemsbok	Philadelphia.	Do.
Nov.	6	Off St. Simon's island	St. Lawrence	do	Do.
		Potomac	Flotilla	Washington.	Returned to owner.
Sept.	13	Pensacola navy yard	Exped'n from the Colorado		Burnt.
June	8	Britton's bay, Maryland	Resolute		Destroyed.
May	28	Virginia shore, Potomac	do		Do.
Oct.	5	Chincoteague inlet.	Louisiana		Burnt.
	11	Quantico creek	Union		Do.
Nov.	6	Rappahannock river	Cambridge.		Do.
Aug.	16	Potomac river	Yankee.		Destroyed.
July	17	do	Resolute	Washington.	
May	11	Key West	Crusader		Converted into a tender.
Nov.	13	Bahama channel	W. G. Anderson	Key West	
			Louisiana	Baltimore	Decree dismissing libel.
Oct.	5	Rappahannock river	Mount Vernon	do	Condemned, & sale ordered.
				Philadelphia.	Order for sale of 6-8 of vessel; case of 2-8 open.
Nov.	15	31° 10′ N., 80° 52′ 30″ W.	Dale	do	
				New York	Released by court.

The foregoing statement was prepared from the best information in the possession of the department at the time. It is quite incomplete, and may possibly have some errors in it.

Navy Department, *November* 30, 1861.

REPORT ON IRON-CLAD VESSELS.

Navy Department,
Bureau of Yards and Docks, September 16, 1861.

Sir: The undersigned, constituting a board appointed by your order of the 8th ultimo, proceeded to the duty assigned to them, in accordance with the first section of an act of Congress, approved 3d of August, 1861, directing the Secretary of the Navy "to appoint a board of three skilful naval officers to investigate the plans and specifications that may be submitted for the construction or completing of iron-clad steamships or steam batteries, and on their report, should it be favorable, the Secretary of the Navy will cause one or more armored or iron or steel-clad steamships or floating steam batteries to be built; and there is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sum of one million five hundred thousand dollars."

Distrustful of our ability to discharge this duty, which the law requires should be performed by three skilful naval officers, we approach the subject with diffidence, having no experience and but scanty knowledge in this branch of naval architecture.

The plans submitted are so various, and in many respects so entirely dissimilar, that without a more thorough knowledge of this mode of construction and the resisting properties of iron than we possess, it is very likely that some of our conclusions may prove erroneous.

Application was made to the department for a naval constructor, to be placed under our orders, with whom we might consult; but it appears that they are all so employed on important service that none could be assigned to this duty.

The construction of iron-clad steamships of war is now zealously claiming the attention of foreign naval powers. France led off; England followed, and is now somewhat extensively engaged in the system; and other powers seem to emulate their example, though on a smaller scale.

Opinions differ amongst naval and scientific men as to the policy of adopting the iron armature for ships-of-war. For coast and harbor defence they are undoubtedly formidable adjuncts to fortifications on land. As cruising vessels, however, we are sceptical as to their advantages and ultimate adoption. But whilst other nations are endeavoring to perfect them, we must not remain idle.

The enormous load of iron, as so much additional weight to the vessel; the great breadth of beam necessary to give her stability; the short supply of coal she will be able to stow in bunkers; the greater power required to propel her; and the largely increased cost of construction, are objections to this class of vessels as cruisers which we believe it is difficult successfully to overcome. For river and harbor service we consider iron-clad vessels of light draught, or floating batteries thus shielded, as very important; and we feel at this moment the necessity of them on some of our rivers and inlets to enforce obedience to the laws. We, however, do not hesitate to express the opinion, notwithstanding all we have heard or seen written on the subject, that no ship or floating battery, however heavily she may be plated, can cope successfully with a properly constructed fortification of masonry. The one is fixed and immovable, and though constructed of a material which may be shattered by shot, can be covered, if need be, by the same or much heavier armor than a floating vessel can bear, whilst the other is subject to disturbances by winds and waves, and to the powerful effects of tides and currents.

Armored ships or batteries may be employed advantageously to pass fortifications on land for ulterior objects of attack, to run a blockade, or to reduce temporary batteries on the shores of rivers and the approaches to our harbors.

From what we know of the comparative advantages and disadvantages of ships constructed of wood over those of iron, we are clearly of opinion that no iron-clad vessel of equal displacement can be made to obtain the same speed as one not thus encumbered, because her form would be better adapted to speed. Her form and dimensions, the unyielding nature of the shield, detract materially in a heavy sea from the life, buoyancy, and spring which a ship built of wood possesses.

Wooden ships may be said to be but coffins for their crews when brought in conflict with iron-clad vessels; but the speed of the former, we take for granted, being greater than that of the latter, they can readily choose their position, and keep out of harm's way entirely.

Recent improvements in the form and preparation of projectiles, and their increased capacity for destruction, have elicited a large amount of ingenuity and skill to devise means for resisting them in their construction of ships-of-war. As yet we know of nothing superior to the large and heavy spherical shot in its destructive effects on vessels, whether plated or not.

Rifled guns have greater range, but the conical shot does not produce the *crushing* effect of spherical shot.

It is assumed that 4½-inch plates are the heaviest armor a sea-going vessel can safely carry. These plates should be of tough iron, and rolled in large, long pieces. This thickness of armor, it is believed, will resist all projectiles now in general use at a distance of 500 yards, especially if the ship's sides are angular.

Plates hammered in large masses are less fibrous and tough than when rolled. The question whether wooden backing, or any elastic substance behind the iron plating will tend to relieve at all the frame of the ships from the crushing effect of a heavy projectile, is not yet decided. Major Barnard says, "to put an elastic material behind the iron is to insure its destruction." With all deference to such creditable authority, we may suggest that it is possible a backing of some elastic substance (soft wood, perhaps, is the best) might relieve the frame of the ship somewhat from the terrible shock of a heavy projectile, though the plate should not be fractured.

With respect to a comparison between ships of iron and those of wood, without plating, high authorities in England differ as to which is the best. The tops of ships built of iron, we are told, wear out three bottoms; whilst the bottoms of those built of wood will outwear three tops. In deciding upon the relative merits of iron and wooden-framed vessels, for each of which we have offers, the board is of opinion that it would be well to try a specimen of each, as both have distinguished advocates. One strong objection to iron vessels, which, so far as we know, has not yet been overcome, is tho oxidation or rust in salt water, and their liability of becoming foul under water by the attachment of sea grass and animalcules to their bottoms. The best preventive we know of is a coating of pure zinc paint, which, so long as it lasts, is believed to be an antidote to this cause of evil.

After these brief remarks on the subject generally, we proceed to notice the plans and offers referred to us for the construction of plated vessels and floating batteries.

It has been suggested that the most ready mode of obtaining an iron-clad ship-of-war would be to contract with responsible parties in England for its complete construction; and we are assured that parties there are ready to engage in such an enterprise on terms more reasonable, perhaps, than such vessels could be built in this country, having much greater experience and facilities than we possess. Indeed, we are informed there are no mills and machinery in this country capable of rolling iron 4½ inches thick, though plates might be hammered to that thickness in many of our workshops. As before observed, rolled iron is considered much the best, and the difficulty of rolling it increases rapidly with the increase of thickness. It has, however, occurred to us that a difficulty might arise with the British government, in case we should undertake to construct ships-of-war in that country, which might complicate their delivery; and, moreover, we are of opinion that every people or nation who can maintain a navy should be capable of constructing it themselves.

Our immediate demands seem to require, first, so far as practicable, vessels invulnerable to shot, of light draught of water, to penetrate our shoal harbors, rivers, and bayous. We, therefore, favor the construction of this class of vessels before going into a more perfect system of large iron-clad sea-going vessels of war. We are here met with the difficulty of encumbering small vessels with armor, which, from their size, they are unable to bear. We, nevertheless, recommend that contracts be made with responsible parties for the construction of one or more iron-clad vessels or batteries of as light a draught of water as practicable consistent with their weight of armor. Meanwhile, availing of the experience thus obtained, and the improvements which we believe are yet to be made by other naval powers in building iron-clad ships, we would advise the construction, in our own dock-yards, of one or more of these vessels upon a large and more perfect scale, when Congress shall see fit to authorize it. The amount now appropriated is not sufficient to build both classes of vessels to any great extent.

We have made a synopsis of the propositions and specifications submitted, which we annex, and now proceed to state, in brief, the result of our decisions upon the offers presented to us.

J. Ericsson, New York, page 19.—This plan of a floating battery is novel, but seems to be based upon a plan which will render the battery shot and shell proof. We are somewhat apprehensive that her properties for sea are not such as a sea-going vessel should possess. But she may be moved from one place to another on the coast in smooth water. We recommend that an experiment be made with one battery of this description on the terms proposed, with a guarantee and forfeiture in case of failure in any of the properties and points of the vessel as proposed.

Price, $275,000; length of vessel, 172 feet; breadth of beam, 41 feet; depth of hold, 11½ feet; time, 100 days; draught of water, 10 feet; displacement, 1,255 tons; speed per hour, nine statute miles.

John W. Nystrom, Philadelphia, 1216 *Chestnut street, page* 1.—The plan of (quadruple) guns is not known, and cannot be considered. The dimensions would not float the vessel without the guards, which we are not satisfied would repel shot. We do not recommend the plan.

Price, about $175,000; length of vessel, 175 feet; breadth of beam, 27 feet; depth of hold, 13 feet; time, four months; draught of water, 10 feet; displacement, 875 tons; speed per hour, 12 knots.

William Perine, New York, 2777 *post office box,* presents three plans. The specifications and drawings are not full. The last proposal (No. 3, page 2) for the heavy plating is the only one we have considered; but there is neither drawing nor model, and the capacity of the vessel, we think, will not bear the armor and armament proposed.

Price, $621,000; length of vessel, 225 feet; breadth of beam, 45½ feet; depth of hold, 15½ feet; time, 9 months, draught of water, 13 feet; displacement, 2,454 tons; speed per hour, 10 knots.

John C. Le Ferre, Boston, page 9.—Description deficient. Not recommended. Sent a model, but neither price, time, nor dimensions stated.

E. S. Renwick, New York, 335 *Broadway,* presents drawings, specification, and model of an iron-clad vessel of large capacity and powerful engines, with great speed, capable of carrying a heavy battery, and stated to be shotproof-

and a good sea-boat. The form and manner of construction and proportions of this vessel are novel, and will attract the attention of scientific and practical men. She is of very light draught of water, and on the question whether she will prove to be a safe and comfortable sea-boat we do not express a decided opinion. Vessels of somewhat similar form, in that part of vessel which is immersed, of light draught of water on our western lakes, have, we believe, proved entirely satisfactory in all weathers. To counteract the effect of the waves, when disturbed by the winds, by producing a jerk, or sudden rolling motion of flat, shoal vessels, it is proposed to carry a sufficient weight above the centre of gravity to counterpoise the heavy weight below, which is done in this ship by the immense iron armor. If, after a full discussion and examination by experts on this plan, it should be decided that she is a safe vessel for sea service, we would recommend the construction upon it of one ship at one of our dock yards.

The estimate cost of this ship, $1,500,000, precludes action upon the plan until further appropriations shall be made by Congress for such objects.

Time not stated; length of vessel, 400 feet; breadth of beam, 60 feet; depth of hold, 33 feet; draught of water, 16 feet; displacement, 6,520 tons; speed per hour; at least 18 miles.

Whitney & Rowland, Brooklyn, Greenpoint, page 13, propose an iron gunboat, armor of bars of iron and thin plate over it. *No price* stated. Dimensions of vessel, we think, will not bear the weight and possess stability. Time, 5 months. Not recommended.

Length of vessel, 140 feet; breadth of beam, 28 feet; depth of hold, 13½ feet; draught of water, 8 feet.

Donald McKay, Boston, page 16.—Vessel, in general dimensions and armor, approved. The speed estimated slow. The cost precludes the consideration of construction by the board.

Price, $1,000,000; length of vessel, 227 feet; breadth of beam, 50 feet; depth of hold, 26½ feet; time, 9 to 10 months; draught of water, 14 feet; displacement, 3,100 tons; speed per hour, 6 to 7 knots.

William H. Wood, Jersey City, N. J., page 14.—Dimensions will not float the guns high enough; not recommended.

Price, $255,000; length of vessel, 160 feet; breadth of beam, 34 feet; depth of hold, 22 feet; time, 4 months; draught of water, 13 feet; displacement, 1,215 tons; speed, not stated.

Merrick & Sons, Philadelphia, pages 7 and 8.—Vessel of wood and iron combined. This proposition we consider the most practicable one for heavy armor. We recommend that a contract be made with that party, under a guarantee, with forfeiture in case of failure to comply with the specifications; and that the contract require the plates to be 15 feet long and 36 inches wide, with a reservation of some modifications, which may occur as the work progresses, not to affect the cost.

Price, $780,000; length of vessel, 220 feet; breadth of beam, 60 feet; depth of hold, 23 feet; time, 9 months; draught of water, 13 feet; displacement, 3,296 tons; speed per hour, 9½ knots.

Benjamin Rathburn, ————, *page* 20.—We do not recommend the plan for adoption.

Price not stated; length of vessel not stated; breadth of beam, 80 feet; depth of hold, 74 feet; time not stated; draught of water, 25 feet; displacement, 15,000 tons; speed not stated. Specification incomplete.

Henry R. Dunham, New York, page 11.—Vessel too costly for the appropriation; no drawings or specifications; not recommended.

Price, $1,200,000; length of vessel, 325 feet; breadth of beam, 60 feet; depth of hold not stated; time, 15 to 18 months; draught of water, 16 feet; displacement not stated; speed per hour, 12 miles.

C. S. Bushnell, & Co., New Haven, Conn., page 121, propose a vessel to be iron-clad, on the rail and plate principal, and to obtain high speed. The objection to this vessel is the fear that she will not float her armor and load sufficiently high, and have stability enough for a sea vessel. With a guarantee that she shall do these, we recommend on that basis a contract.

Price, $235,250; length of vessel, 180 feet; breadth of beam, — feet; depth of hold, 12⅔ feet; time, 4 months; draught of water, 10 feet; displacement, —— tons; speed per hour, 12 knots.

John Westwood, Cincinnati, Ohio, page 17.—Vessel of wood, with iron armor; plan good enough, but the breadth not enough to bear the armor. No detailed specification; *no price or time* stated; only a general drawing. Not recommended.

Neafie & Levy, Philadelphia, page 5.—No plans or drawings, therefore not considered. Neither *price nor time* stated.

Length of vessel, 200 feet; breadth of beam, 40 feet; depth of hold, 15 feet; draught of water, 13 feet; displacement, 1,748 tons; speed per hour, 10 knots.

Wm. Norris, New York, 26 *Cedar street, page* 6.—Iron boat without armor. Too small, and not received.

Price, $32,000; length of vessel, 83 feet; breadth of beam, 25 feet; depth of hold, 14 feet; time, 60 to 75 days; draught of water, 3 feet; displacement, 90 tons; speed not stated.

Wm. Kingsley, Washington, D. C., page 10, proposes a *rubber-clad* vessel, which we cannot recommend. No price or dimension stated.

A. Beebe, New York, 82 *Broadway, page* 18.—Specification and sketch defective. Plan not approved.

Price, $50,000; length of vessel, 120 feet; breadth of beam, 55 feet; depth not stated; time, 100 days; draught of water, 6 feet; displacement, 1,000 tons; speed per hour, 8 knots.

These three propositions recommended, viz: Bushnell & Co., New Haven, Connecticut; Merrick & Sons, Philadelphia, and J. Ericsson, New York, will absorb $1,290,250 of the appropriation of $1,500,000, leaving $209,750 yet unexpended.

The board recommends that armor with heavy guns be placed on one of our river craft, or, if none will bear it, to construct a scow, which will answer to plate and shield the guns, for the river service on the Potomac, to be constructed or prepared by the government at the navy yard here for immediate use.

We would further recommend that the department ask of Congress, at its next session, an appropriation, for experimenting on iron plates of different kinds, of $10,000.

All of which is respectfully submitted.

JOSEPH SMITH.
H. PAULDING.
C. H. DAVIS.

Hon. GIDEON WELLES,
Secretary of the Navy.

REPORTS OF CHIEFS OF BUREAUS.

List of deaths in the navy, as ascertained at the department, since December 1, 1860.

Name and rank.	Date.	Place.
Captains.		
Robert B. Cunningham	Mar. 13, 1861	Navy yard, Mare island, California.
Jesse Wilkinson	Mar. 23, 1861	Norfolk, Virginia.
Wm. M. Armstrong	July 1, 1861	Norfolk, Virginia.
Commanders.		
Edward G. Tilton	Feb. 8, 1861	Washington, D. C.
Charles C. Turner	Mar. 4, 1861	Baltimore, Maryland.
Lloyd B Newell	April 26, 1861	Philadelphia, Pennsylvania.
James H. Ward	June 27, 1861	Off Matthias Point, Potomac river.
William E. Hunt*	June 30, 1861	Lost in the Levant.
William May	Oct. 10, 1861	Queen Ann county, Maryland.
William S. Young	Oct. 17, 1861	Philadelphia, Pennsylvania.
Lieutenants.		
Miles K. Warrington	Sept. 20, 1860	As sea, on board the Relief.
Hudson M. Garland	Feb. 26, 1861	New York.
Edward T. Spedden	Mar. 3, 1861	New York.
Horace N. Crabb	Mar. 10, 1861	Philadelphia, Pennsylvania.
Samuel Edwards	Mar. 23, 1861	Erie, Pennsylvania.
Otway H. Berryman	April 2, 1861	Off Fort Pickens, Florida.
John H. Brown	May 10, 1861	Philadelphia, Pennsylvania.
Wm. C. B. S. Porter*	June 30, 1851	Lost in the Levant.
Edward C Stout*	do	Lost in the Levant.
Colville Terrett *	do	Lost in the Levant.
Richard T. Bowen*	do	Lost in the Levant.
James C. Moseley*	do	Lost in the Levant.
Horace N. Harrison	Mar. 29, 1861	Washington, D. C.
Joseph W. Harris	Aug. 24, 1861	On board the Lancaster, Pacific.
William H. Ball	Sept. 10, 1861	At sea, on board the Marion.
Surgeon.		
Thomas Harris	Mar. 4, 1861	Philadelphia, Pennsylvania.
Passed assistant surgeon.		
James S. Gilliam*	June 30, 1861	Lost in the Levant.
Assistant surgeons.		
William Bradley*	June 30, 1861	Lost in the Levant.
Charles H. Covell	Aug. 7, 1861	At sea, on board the Colorado.
Paymasters.		
Andrew J. Watson*	June 30, 1861	Lost in the Levant.
Henry R. Woodbridge	Oct. 28, 1861	Aspinwall, New Grenada.
Chief engineer.		
Henry Hunt	April 10, 1861	Philadelphia, Pennsylvania.

* Last heard from, September 18, 1860; regarded as lost, June 30, 1861.

List of deaths in the navy—Continued.

Name and rank.	Date.	Place.
Third assistant engineer.		
John M. Whittemore	Nov. 7, 1861	Off Hilton Head, South Carolina.
Boatswains.		
William Hart	Feb. 26, 1861	Portsmouth, New Hampshire.
Harrison Edmonston*	June 30, 1861	Lost in the Levant.
Gunners.		
Bernard Duycker	June 26, 1861	Drowned at sea.
Robert King*	June 30, 1861	Lost in the Levant.
Carpenters.		
Patrick Dee	Dec. 27, 1860	Charlestown, Massachusetts.
John Jarvis*	June 30, 1861	Lost in the Levant.
Sailmakers.		
Richard Berry	April 10, 1861	Norfolk, Virginia.
Joseph S. Johnston	June 27, 1861	New York.
Charles T. Frost*	June 30, 1861	Lost in the Levant.

* Last heard from, September 18, 1860; regarded as lost, June 30, 1861.

List of resignations in the navy since December 1, 1860.

Name and rank.	Date of resignation.
CAPTAINS.	
Victor M. Randolph	January 14, 1861
Duncan N. Ingraham	February 4, 1861
Lawrence Rousseau	February 11, 1861
Josiah Tattnall	February 21, 1861
Hugh N. Page	April 19, 1861
William F. Lynch	April 21, 1861
Harrison H. Cocke	April 22, 1861
Isaac S. Sterrett	April 23, 1861
COMMANDERS.	
Henry J. Hartstene	January 9, 1861
Thomas W. Brent	January 19, 1861
Ebenezer Farrand	January 21, 1861
Raphael Semmes	February 15, 1861
Murray Mason	April 16, 1861
James L. Henderson	April 18, 1861
William C. Whittle	April 20, 1861
Robert D. Thorburn	April 22, 1861
Charles H. McBlair	do
George Minor	do
Joseph Myers	do
Robert F. Pinkney	April 23, 1861
Frederick Chatard	April 24, 1861
William W. Hunter	April 29, 1861
William Green	May 6, 1861
John Manning	May 23, 1861
LIEUTENANTS.	
John R. Hamilton	December 15, 1860
William G. Dozier	December 21, 1860
Alexander F. Warley	December 24, 1860
Robert Selden	December 27, 1860
John M. Stribling	January 8, 1861
Thomas B. Huger	January 11, 1861
Thomas P. Pelot	do
James H. North	January 15, 1861
Robert T. Chapman	January 16, 1861
Francis B. Renshaw	January 22, 1861
John R. Eggleston	do
John Kell	January 23, 1861
C. Manigault Morris	January 29, 1861
Joseph Fry	February 1, 1861
Philip Porcher	February 2, 1861
J. J. B. Walbach	February 18, 1861

List of resignations in the navy—Continued.

Name and rank.	Date of resignation.
LIEUTENANTS—Continued.	
John Rutledge	February 23, 1861
Maurice Simons	March 7, 1861
Robert R. Carter	April 2, 1861
James D. Johnston	April 10, 1861
George W. Harrison	April 17, 1861
Catesby Ap R. Jones	do
William L. Bradford	do
John S. Taylor	April 18, 1861
William B. Fitzgerald	do
William L. Maury	April 20, 1861
Richard L. Tilghman	April 23, 1861
Joel S. Kennard	do
Augustus McLaughlin	do
Joseph D. Danels	do
George H. Bier	do
Beverly Kennon	do
Bushrod W. Hunter	do
Jonathan H. Carter	April 25, 1861
Charles P. McGary	do
John W. Dunnington	do
William A. Wayne	May 1, 1861
John N. Maffitt	May 2, 1861
James W. Cooke	do
Reginald Fairfax	May 15, 1861
William A. Webb	May 17, 1861
SURGEONS.	
W. A. W. Spottswood	January 19, 1861
Thomas B. Steele	April 29, 1861
William F. Patton	May 6, 1861
John T. Mason	do
George Blacknall	May 7, 1861
James Cornick	August 2, 1861
PASSED ASSISTANT SURGEONS.	
Arthur M. Lynah	January 14, 1861
William F. Carrington	March 5, 1861
Francis L. Galt	March 20, 1861
John Ward	April 3, 1861
Dinwiddie B. Phillips	May 6, 1861
Morris B. Beck	May 10, 1861
ASSISTANT SURGEONS.	
Thomas J. Charlton	December 18, 1860
Charles E. Lining	January 15, 1861
H. Lawrence Sheldon	July 6, 1861

List of resignations in the navy—Continued.

Name and rank.	Date of resignation.
PAYMASTERS.	
W. W. J. Kelly	January 21, 1861
Henry Myers	February 1, 1861
John W. Nixon	April 15, 1861
George R. Ritchie	April 29, 1861
CHAPLAIN.	
Charles W. Thomas	January 26, 1861
CHIEF ENGINEER.	
Samuel Archbold	March 18, 1861
MASTERS NOT IN LINE OF PROMOTION.	
John Pearson	January 22, 1861
H. A. F. Young	May 15, 1861
MASTERS IN LINE OF PROMOTION.	
Thomas B. Mills	January 16, 1861
William E. Evans	February 2, 1861
William A. Kerr	April 24, 1861
William C. Whittle, jr.	May 15, 1861
MIDSHIPMEN, GRADUATES.	
John Grimball	December 24, 1860
Charles W. Read	February 4, 1861
Wilburn B. Hall	March 7, 1861
ACTING MIDSHIPMEN.	
Robert C. Fonte	December 4, 1860
Richard H. Bacot	December 11, 1860
John T. Walker	December 17, 1860
William W. Wilkinson	December 24, 1850
Ochran H. Howard	January 10, 1861
Robert Flournoy	January 12, 1861
Napoleon J. Smith	January 16, 1861
Sardine G. Stone	do
Francis M. Robey	do
John R. Price	do
William F. Robinson	do
James G. Baldwin	do
Isaac C. Holcombe	January 19, 1861
Hugh L. Hill	do

List of resignations in the navy—Continued.

Name and rank.	Date of resignation.
ACTING MIDSHIPMEN—Continued.	
Robert Payne	January 22, 1861
James A. Merriwether	do
Raphael J. Moses	January 23, 1861
Horatio G. McClintoc	January 24, 1861
William E. Pinckney	January 25, 1861
Barron Carter	do
Thomas M. Berrien	January 26, 1861
David Moodey	January 29, 1861
Richard F. Armstrong	January 30, 1861
William Van Comstock	do
John H. Comstock	do
William W. Carnes	February 13, 1861
Matthew P. Goodwyn	do
John H. Ingraham	February 14, 1861
Dabney M. Scales	February 18, 1861
Thomas G. Garrett	February 26, 1861
John M. Reber	do
Joseph D. Wilson	March 5, 1861
John F. Holden	March 7, 1861
William A. Hicks	do
William Piercy Lee	March 11, 1861
Albert G. Hudgins	do
Harvey H. Dougherty	do
William R. Dalton	do
George D. Bryan	March 12, 1861
Giles F. Appleton	March 15, 1861
Charles H. Daniels	do
James W. Ahl	do
John C. Fortune	do
Silas S. Willett	do
William W. Young	do
John A. Hopkins	do
James A. Peters	do
Benjamin Heath, jr	do
Louis E. Fagan	do
Edward P. Guthrie	do
James A. Dick	do
Robert E. Carmody	do
William H. Hivling	March 18, 1861
Henry H. Marmaduke	do
Edward S. Ruggles	do
David A. Telfair	do
William C. Osterloh	do
William L. Ames	do
John S. Livingston	do
Le Roy H. Washington	do
Henry S. H. Williams	do

List of resignations in the navy—Continued.

Name and rank.	Date of resignation.
ACTING MIDSHIPMEN—Continued.	
Lucius E. Heath	March 19, 1861
William B. Cushing	March 23, 1861
Cassius Meyer	April 9, 1861
James E. Fisk	April 16, 1861
James M. Morgan	do
Edward J. McDermott	April 18, 1861
Thomas L. Moore	April 19, 1861
George A. Howard	do
William P. Mason	do
Henry C. Holt	April 20, 1861
Mortimer M. Benton	do
Daniel Trigg	do
Francis T. Chew	do
Joseph P. Claybrook	do
Andrew P. Beirne	do
William C. Hutter	do
Robert A. Camm	do
Richard S. Floyd	do
Daniel Carroll	do
William C. Jackson	do
William W. Read	April 23, 1861
Joseph M. Gardner	do
Charles F. Sevier	do
Augustus O. Wright	do
Theodore Sturdivant	April 24, 1861
Ivey Foreman	do
Alexander Macomb Mason	do
Algernon S. Worth	April 25, 1661
H. Beverly Littlepage	do
James M. Stafford	do
Henry S. Cook	do
Henry C. McDaniel	do
James M. Pearson	do
William J. Carroll	do
Wyndam R. Mayo	do
Orris A. Browne	do
Henry L. Vaugh	do
Gale W. Sparks	do
William Drayton Goode	do
James C. Long	May 15, 1861
Joseph B. Peyton	do
Julien M. Spencer	May 16, 1861
Charles K. King	do
Jefferson Phelps	May 24, 1861
William Moss Pipkin	June 3, 1861
Gustavus English	July 19, 1861
William J. Craig	August 12, 1861
Charles L. Schultz	November 12, 1861

List of resignations in the navy—Continued.

Name and rank.	Date of resignation.
CARPENTERS.	
William Knight	April 22, 1861
James Kinnear	October 3, 1861
Jacob M. Dallas	November 21, 1861
SAILMAKERS.	
Samuel V. Turner	April 18, 1861
William Bennett	May 15, 1861
George A. Wightman	October 3, 1861
FIRST ASSISTANT ENGINEER.	
George W. Alexander	April 5, 1861
SECOND ASSISTANT ENGINEERS.	
George D. Lining	April 18, 1861
Loudon Campbell	May 6, 1861
James D. Wright	October 16, 1861
THIRD ASSISTANT ENGINEERS.	
James Plunkett	February 6, 1861
George W. Tennent	do
William W. Miller	August 5, 1861
William H. Fuller	November 16, 1861
Henry W. Lawrence	November 9, 1861

List of dismissions in the navy since December 1, 1860.

Name and rank.	Date of dismission.
CAPTAINS.	
French Forrest	April 19, 1861
Franklin Buchanan	April 22, 1861
George A. Magruder	do
Samuel Barron	do
Isaac Mayo	May 18, 1861
George N. Hollins	June 6, 1861

List of dismissions in the navy—Continued.

Name and rank.	Date of dismission.
COMMANDERS.	
William T. Muse	April 2, 1861
Robert G. Robb	April 18, 1861
Archibald B. Fairfax	do
Richard L. Page	do
Arthur Sinclair	do
John R. Tucker	do
Thomas R. Rootes	April 19, 1861
William McBlair	April 20, 1861
Charles F. McIntosh	do
Sidney Smith Lee	April 22, 1861
Thomas J. Page	do
Thomas T. Hunter	April 23, 1861
Matthew F. Maury	April 26, 1861
John K. Mitchell	May 27, 1861
Charles H. A. H. Kennedy	June 4, 1861
Edward L. Handy	June 14, 1861
Edward B. Boutwell	July 31, 1861
William Chandler	October 17, 1861
LIEUTENANTS.	
John Taylor Wood	April 2, 1861
Charles M. Fauntleroy	April 7, 1861
George T. Sinclair	April 16, 1861
Robert B. Pegram	April 17, 1861
Washington Gwathmey	do
James H. Rochelle	do
William Sharp	do
Charles F. M. Spotswood	April 18, 1861
Carter B. Poindexter	do
John S. Maury	do
John W. Bennett	April 19, 1861
Henry H. Lewis	April 20, 1861
John Wilkinson	do
William H. Parker	do
William L. Powell	do
John M. Brooke	do
Peter U. Murphey	April 21, 1861
William H. Murdaugh	do
Edward L. Winder	April 22, 1861
Charles C. Simms	do
Robert D. Minor	do
Oscar F. Johnston	do
Hunter Davidson	April 23, 1861
Isaac N. Brown	April 25, 1861
Silas Bent	do

List of dismissions in the navy—Continued.

Name and rank.	Date of dismission.
LIEUTENANTS—Continued.	
J. Pembroke Jones	April 29, 1861
David P. McCorkle	May 17, 1861
James B. Lewis	May 23, 1861
Joseph N. Barney	June 4, 1861
Charles W. Hays	June 5, 1861
Alphonse Barbot	June 10, 1861
Van. R. Morgan	June 28, 1861
Hamilton H. Dalton	July 1, 1861
George S. Shryock	do
Joseph W. Alexander	July 5, 1861
Francis E. Shepperd	July 8, 1861
John J. Guthrie	July 15, 1861
William H. Ward	July 16, 1861
Thomas K. Porter	July 18, 1861
Andrew J. McCartney	August 14, 1861
William P. A Campbell	September 19, 1861
Henry K. Stevens	September 30, 1861
Benjamin P. Loyall	October 5, 1861
Walter R. Butt	do
Edward A. Selden	November 7, 1861
George E. Law	do
SURGEONS.	
Lewis W. Minor	May 7, 1861
William F. McClenahan	May 9, 1861
William B. Sinclair	May 10, 1861
Randolph F. Mason	do
James F. Harrison	June 15, 1861
William M. Page	October 10, 1861
Daniel S. Green	September 18, 1861
Richard W. Jeffery	September 28, 1861
PASSED ASSISTANT SURGEONS.	
Charles W. Williamson	May 10, 1861
William E. Wysham	do
H. W. M. Washington	do
J. W. B. Greenhow	July 5, 1861
ASSISTANT SURGEONS.	
Joseph D. Grafton	May 2, 1861
Frederick Van Bibber	May 6, 1861
Charles Lowndes, jr	May 7, 1861
Algernon S. Garnett	May 10, 1861

List of dismissions in the navy—Continued.

Name and rank.	Date of dismission.
ASSISTANT SURGEONS—Continued.	
Bennett W. Green	May 18, 1861
John W. Sandford, jr	May 29, 1861
Robert J. Freeman	June 4, 1861
Marcellus P. Christian	July 7, 1861
James E. Lindsay	October 10, 1861
PAYMASTERS	
George W. Clark	April 2, 1861
John D. Bree	April 19, 1861
John Johnston	April 20, 1861
Richard T. Allison	May 6, 1861
James K. Harwood	May 31, 1861
Miles H. Morris	June 1, 1861
Felix Senac	June 11, 1861
Thomas R. Ware	June 13, 1861
James A. Semple	July 15, 1861
PROFESSORS OF MATHEMATICS.	
Alexander W. Lawrence	April 22, 1861
Thomas J. Robinson	August 15, 1861
CHIEF ENGINEERS.	
Michael Quinn	April 17, 1861
Wm. P. Williamson	May 6, 1861
Thomas A. Jackson	do
James H. Warner	July 8, 1861
Nathaniel P. Patterson	June 10, 1861
MIDSHIPMEN, GRADUATES.	
Edmund G. Read	May 1, 1861
Thomas L. Dornin	June 4, 1861
James L. Hoole	do
Francis L. Hoge	do
Samuel W. Averett	June 5, 1861
James L. Tayloe	July 5, 1861
Samuel H. Hackett	July 18, 1861
George A. Borchert	July 24, 1861
Thomas L. Harrison	July 26, 1861
Henry B. Claiborne	August 24, 1861
Hilery Cenas	do
Arthur D. Wharton	August 26, 1861

List of dismissions in the navy—Continued.

Name and rank.	Date of dismission.
FIRST ASSISTANT ENGINEERS.	
T. B. C. Stump	April 20, 1861
Ed. W. Manning	May 6, 1861
Henry A. Ramsey	do
Richard C. Potts	June 5, 1861
Virginius Freeman	July 8, 1861
George W. City	August 1, 1861
SECOND ASSISTANT ENGINEERS.	
John W. Tynan	May 6, 1861
Marshal P. Jordan	May 20, 1861
Charles W. Leroy	July 6, 1861
Robert A. Copeland	September 19, 1861
THIRD ASSISTANT ENGINEERS.	
Edwin C. Patten	January 8, 1861
Henry X. Wright	May 6, 1861
John T. Tucker	do
Charles W. Jordon	do
Edward L. Dick	May 28, 1861
Benjamin Herring	July 8, 1861
Henry Fagan	do
BOATSWAINS.	
Charles H. Hasker	June 4, 1861
James M. Miller	June 12, 1861
George Dean	June 13, 1861
GUNNERS.	
Charles B. Oliver	May 21, 1861
Charles Moran	May 22, 1861
John W. Lovett	June 4, 1861
CARPENTERS.	
Lewis Holmes	May 29, 1861
Robert M. Baine	June 4, 1861
Edward Williams	July 12, 1861
Henry G. Thomas	July 27, 1861
John B. Hoover	September 25, 1861
SAILMAKERS.	
William M. Mahony	June 4, 1861
Samuel H. Boutwell	June 17, 1861
George D. Blackford	July 5, 1861

THE NAVAL ACADEMY.

NAVAL ACADEMY,
Newport, R. I., May 13, 1861.

SIR: I have the honor to report that, in obedience to the order of the department of the 27th ultimo, the Naval Academy is transferred to Fort Adams, and that the duties of the institution are this day recommenced.

The library and all the instruments that could be safely transported have been brought here, and I have made a special report to the Bureau of Ordnance and Hydrography in regard to such as remain at Annapolis. I beg to submit the following recommendations of the academic board, and respectfully ask the approval of the department of the same.

1st. It is recommended that the annual examination be deferred until the 25th of June, and that authority be given to conduct it by the academic board without the presence of the usual board of visitors, unless it should be found expedient to order one.

2d. That from the close of the examination until the 20th of September next, when the new appointees will report, the exercises of the acting midshipmen in seamanship, gunnery, and other practical branches of the profession, be unremittingly pursued on board the Constitution, and that the study of French be also pursued by them during that time. I also propose that the ship should should occasionally be got under way.

The fort will be immediately put under careful police, and every possible attention paid to its preservation and that of the public property contained in it; and I would suggest that as long as it is occupied by the academy it will be considered in some degree garrisoned. The Constitution is moored near the fort, and in a convenient position for target practice. The acting midshipmen will remain on board of her for the present, and they will be constantly exercised during the hours prescribed by the regulations of the department.

With the exception of the commandant of midshipmen and the commanding officer of the Constitution, Lieutenants Simpson, Buckner, Scott, and Lull are the only lieutenants which remain attached to the academy. Their services are so very important in reorganizing the academy and training the acting midshipmen that I beg to express a hope that they may be suffered to remain.

I also respectfully ask that the department will approve my retaining for the present the three members of the first class named by the commandant of midshipmen in his letter of the — instant. Their services are very important to the academy at this time.

I have the honor to be, sir, very respectfully, your obedient servant,

G. S. BLAKE, *Superintendent.*

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

NAVAL ACADEMY,
Newport, R. I., September 27, 1861.

SIR: In obedience to the orders of the department, the Constitution has, during the past summer, been made the school of summer practice for the acting midshipmen of the Naval Academy. As this course of instruction was substituted for the usual practice cruise, the immediate charge of it was, in accordance with the regulations of the academy, committed to the commandant of midshipmen, under my general instructions, a copy of which I beg to enclose; also a copy of his report,

From constant personal observation, I can testify fully to the ability and zeal with which Lieutenant Commanding Rodgers and the officers associated with him have performed these important duties.

I have the honor to be, very respectfully, your obedient servant,

G. S. BLAKE, *Superintendent.*

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

UNITED STATES NAVAL ACADEMY,
Newport, September 24, 1861.

SIR: No practice ship having been assigned during the past summer for the use of the acting midshipmen at the Naval Academy, the school ship Constitution, anchored in this harbor, has been, by your order, made the school of summer practice, and on board that ship the acting midshipmen of the third class have received the best professional instruction possible under the circumstances in which the Naval Academy has been placed.

Much had been done for them, before the summer course had commenced, by Lieutenant Commanding G. W. Rodgers, the indefatigable officer under whose immediate charge their preceding nine months had been spent; and during the summer months they have constantly been employed in professional exercises.

In carrying out your instructions I have sought to give them such a knowledge of the theory and practice of seamanship as would make them efficient on board a cruising vessel, and such a knowledge of gunnery, ordnance, infantry tactics, and the use of the sword, as would enable them to drill a division on board a ship-of-war, and intelligently bring the men under their charge to a high state of naval training.

At the same time Professor Coffin, ably assisted by the other professors of the academy, has sought to give them such elementary knowledge of navigation as their very limited progress in mathematics would permit.

A rigging loft was established at Fort Adams, where the acting midshipmen were carefully instructed in knotting and splicing, in which they had previously made some progress, and in fitting the different parts of a ship's rigging, for which yards and other appliances were procured. With the marlinspike, serving-mallet, and fid, they acquired great dexterity; and in fitting rigging generally they displayed, at the end of the season, much proficiency. Several of the acting midshipmen could then fit a piece of rigging as well as the petty officers of the Constitution.

Sailmaker Blydenburgh had the immediate supervision of the rigging loft, and evinced much aptitude for his duty, and great devotion to it.

The acting midshipmen were regularly exercised in the duties of a seaman aloft, and were carefully taught to loose, furl, and reef, to bend and unbend the topsails, to stow the head sails, to set and take in studding sails, to reef and handle all the fore and aft sails, to send up and down the royal and topgallant yards and masts, to reeve the running rigging, to prepare topmast and lower yards for coming down, and to perform all the duties of topmen.

In the schooner Rainbow the acting midshipmen have been taught to steer, to heave the lead and log, and to handle a fore and aft vessel.

Once a week the acting midshipmen have been required to submit for my inspection a finished drawing of some specified portion of the Constitution's masts and rigging; such as a masthead or yard, or channel, with its rigging attached

Certain symbols were established for the expression of the various details, such as service, marlin, leather, the different kinds of rope, &c., and each drawing to express with accuracy all the characteristics and details of that portion of the ship which it professed to delineate.

To furnish such a drawing required much careful observation, and its preparation necessarily stamped upon the memory a minute knowledge of the subject drawn.

The result of this system has been most satisfactory. In the study of theoretical seamanship "Nare's Naval Cadet Guide" was used, and regular recitations were made from it, the students being required to compare the statements of that work with the actual condition of the rigging, spars, and hull of the Constitution, and to describe such differences as they could discover. Habits of investigation and comparison were thus produced, with beneficial results.

In gunnery the course was limited both by the shortness of the season and the imperfect education of those to be taught.

Careful and minute attention was given to the drill at great guns, and the target firing was unusually good, one-third of the shots fired passing through the regulation target placed about one thousand yards from the ship. The other shots were well directed, and nearly all of them would have struck a ship under sail.

Sufficient shell practice was also given to illustrate the use of that projectile.

A howitzer was fitted in our largest boat, and the acting midshipmen were carefully trained in its use, and practiced with facility and despatch.

Boat expeditions were formed, and small-arm men and a howitzer were landed; the howitzer clearing the beach and covering the landing of the acting midshipmen, who formed promptly upon reaching the shore, delivered their fire, and charged with the bayonet. Skirmishers were then thrown out, the howitzer landed, and the whole party drilled in the incidents to be expected on an enemy's coast.

The re-embarkation of the howitzer was protected by the small-arm men, acting as skirmishers and reserve; the skirmishers falling back rapidly when the gun was in the boat to cover their retreat, and the reserve embarking last, under the protection of the howitzer's canister.

The acting midshipmen have twice a week studied and recited selections from the Ordnance Manual, and from Simpson's Treatise on Ordnance and Naval Gunnery.

They have been carefully taught the distribution and duties of all officers and men, at quarters, in battle or exercise.

The manual of exercise has been impressed most forcibly upon their memories.

They have been specially instructed in the nomenclature of guns and their carriages, and in sighting and pointing.

They have been shown the fuses adopted in our navy, have seen them burn, and have been taught their peculiarities. They have been made familiar with the arrangements of the magazines, and method of supplying powder and shot in battle.

The construction of guns, our locks and primes, windage, recoil, the shells used in our navy and some of those used in other navies, have been made the subjects of instruction.

Lieutenant Simpson has, with great tact and ability, imparted much valuable information to the class in conversational lectures, and his whole course in gunnery has been conducted with signal success.

The use of the sword was taught by Lieutenant Commanding G. W. Rodgers and Professor Seager, and very creditable proficiency in that valuable branch of instruction was made by the acting midshipmen.

In infantry tactics the acting midshipmen were instructed from the first volume of Hardee in the school of the soldier, the school of the company, and the duty of skirmishers; they completed the volume and reviewed it.

They were also carefully instructed in the field under arms several times each week, and were then practically taught what they had theoretically learnt in the recitation room.

The higher sections in this branch have made creditable progress.

Lieutenant Simpson acted as the instructor in tactics, and was ably assisted by Acting Masters Brower and C. S. Huntington, who also zealously assisted Lieutenant Commanding G. W. Rodgers in the instruction in theoretical seamanship.

To the thorough seamanship of Lieutenant Commanding Rodgers, and to his untiring exertions, the third class is greatly indebted.

He was mostly ably seconded by Acting Master Preston, who also rendered very valuable service as assistant to Lieutenant Simpson in the instruction in gunnery.

In navigation Professor Coffin, assisted by Professors Winlock, Wilcox, Smith, and Beecher, has devoted great care to the instruction of the acting midshipmen. He reports to me that the first two sections have learned to work out a day's work, and the common observations for latitude and time, and have acquired some familiarity with the use of the sextant. That the two next sections have made less satisfactory progress, and that the lowest section has acquired very little knowledge of the subject.

The interruptions from leaves of absence have greatly interfered with the regularity of the course.

Professor Girault, assisted by Professors Roget and Deviliers, has pursued the course in French which usually begins on the 1st of October. Three recitations a week have been devoted to this important branch of study, and its professors have assiduously labored to impart all the knowledge which could be given in so brief a season.

The members of the third class show that great pains have been taken with their discipline and training since their first admission to the academy, and prove conclusively how well the school-ship has accomplished all that was expected from it.

The higher sections have shown much professional aptitude, and have availed themselves of the means of acquiring that knowledge which will be useful to them in the navy. Some of the lowest sections, however, do not give high promise of future professional usefulness.

I feel it my duty to say, in conclusion, that I think it would be highly injurious to the members of the third class, should they, during the coming year, be detached from the Naval Academy and sent to ships-of-war.

The first year at this institution is necessarily devoted to repairing the defects of a common school education, and it is only after knowledge has been acquired and its application to naval science has been made that we can hope to furnish well-prepared officers for the navy.

Before leaving the Naval Academy the acting midshipmen should be instructed in gunnery, naval tactics, nautical astronomy, and navigation, surveying and the use of the steam-engine, the successful study of which requires far higher proficiency in mathematics than they at present possess.

It would seem far better for the navy if master's mates could temporarily perform the duties of midshipmen on board our cruisers while our *acting* midshipmen were being thoroughly prepared here for their career in the public service.

I am, respectfully, your obedient servant,

C. R. P. ROGERS,
Commandant of Midshipmen.

Captain GEO. S. BLAKE,
Superintendent United States Naval Academy, Newport, R. I.

BUREAU OF YARDS AND DOCKS.

Compendium of the annual report from the Bureau of Yards and Docks, dated November 23, 1861.

Introductory remarks, explaining the views of the bureau in reference to the necessity of increased appropriations for improvements of navy yards.

Invites attention to the small salary allowed by law to the clerk of the yard at Mare island.

Presents statement of the improvements and repairs at each navy yard, naming the objects completed, and the amount expended thereon; what works have been in progress, with the aggregate expenditure upon the same; also the amount expended for contingent on account of yards and docks at each navy yard, for the fiscal year ending June 30, 1861.

Submits estimates for objects of improvement and repair at navy yards, for the fiscal year ending June 30, 1863, with detailed remarks as to the necessity of each object for which an appropriation is asked. The same with reference to the naval hospital, magazine, and ordnance works at the different stations.

Remarks in regard to the naval asylum, stating the number of inmates and the expenditures for the same.

BUREAU OF YARDS AND DOCKS, *November* 23, 1861.

SIR: On the 15th ultimo I had the honor to submit for your approval one set of the estimates from this bureau for the fiscal year ending June 30, 1863. I now beg to present duplicate and triplicate sets of those estimates, accompanied by this my annual report for the past year, in duplicate, with a compendium of the same. I transmit, also, an abstract of the offers received, and a list of the contracts made for furnishing supplies under the cognizance of this bureau at the several navy yards for the current fiscal year.

In submitting these estimates the bureau has endeavored to select such objects of improvement of those recommended by the commandants of the respective navy yards as, in its judgment, seemed most needed to place these establishments in as efficient a condition as possible to meet the largely increased demands which have been and are likely still to be made upon them. It is with this view that a large proportion of the amount asked for is for the extension of buildings, and to provide additional tools and machinery for the various workshops. Whilst this has been an object of primary consideration, the bureau has not lost sight of the importance of providing for the gradual improvement of our navy yards; and if the estimates for this purpose should, in some cases, seem large, it must be borne in mind that the appropriations for this branch of the service for the past three years have been limited to an amount barely sufficient to keep the buildings and other structures in a state of repair, without adding anything to the permanent improvements of the navy yards.

The loss of so important a naval establishment as that at Norfolk, to say nothing of the one at Pensacola, has of itself rendered the preparation of increased facilities for the building, repairing and equipping of vessels, and the greater accommodation of stores at our other navy yards, highly necessary.

But little change has been made in the *personnel* of any of the navy yards, except at Mare island, where the legislation of the last Congress in regard to the duties of the navy agent renders the employment of a paymaster and some modification of the pay of clerks in the civil branch of that yard necessary. And here I would take occasion to notice the inadequacy of the salary allowed to the clerk of the yard at Mare island.

Under the law, he can receive but $900 per annum, which, considering the responsibilities of the position and the expense of living in California, is a very poor compensation indeed. Even the watchmen at that yard are paid at the rate of $1,200, while the clerks to the navy agent have received as high as $2,500 and $3,000 per annum, respectively. I think it would be but just to place the clerk of the yard at Mare island, as at other navy yards, on the same footing as regards pay with the commandant's clerk, and therefore earnestly recommend that his salary be fixed at $1,500 per annum, to take effect from the 1st of July last.

With these remarks I proceed to state what has been done in the way of improvements at each navy yard, hospital, and magazine during the past year, and to explain in detail the estimates for new objects, which are submitted for the next fiscal year, commencing with the navy yard at

PORTSMOUTH, N. H.

The works of improvement which have been completed at this yard during the past fiscal year are quay wall connected with dock basin, tools for machinists and smiths, repairs on dock basin, and additional story to engine-house. The amount expended on these objects during the year is, for labor $4,451 63, and materials $1,263 10, making an aggregate of $5,714 73.

The works upon which expenditures have been made, but which are not yet completed, are quay wall near landing, floating dry dock, and repairs of all kinds. These objects have progressed in a satisfactory manner, and the amount expended upon them during the year is, for labor, $6,514 98, materials, $1,386 76, making an aggregate of $7,901 74.

There has been expended during the year, for objects coming under the head of contingent, the sum of $23,292 56.

Plans and estimates are submitted for the fiscal year ending 30th June, 1863, for the following objects, viz: Machine shop and smithery; fitting and furnishing machine shop; reservoir, &c.; capstans for sheers; quay wall near landing; futtock saw-mill; extension of storehouse No. 11 fifty feet; and for repairs of all kinds, amounting in the aggregate to the sum of $205,035.

Machine shop and smithery.—The necessity for more extended facilities for the manufacture of iron and composition work has been severely felt during the present year. To meet the pressing demands of the service, shops of the most temporary description have been furnished the workmen to enable them to prepare the work in this branch as rapidly as the other branches have advanced in the building, repairing, and fitting of the government ships. These temporary sheds cannot be expected to afford sufficient protection to the men for any length of time, and it is therefore proposed to extend the machine shop one hundred and fifty feet, and to add to the smithery a space sufficient for the accommodation of twenty-two additional forges with the necessary trip-hammers.

Fitting and furnishing machine shop.—An additional number of tools, steam power, cranes, cupolas, and other fixtures are greatly needed, that orders for work may be promptly executed, and it is regarded very important that means should be provided for their purchase.

Reservoir, &c.—The constant use of steam engines, largely increased number of workmen and teams, and the large quantity of water required to fill the tanks of vessels, have created such a demand for water that the cisterns, reservoirs, and wells have proved quite inadequate to furnish a sufficient supply, and it has been necessary to send to Kittery and Portsmouth for many thousand gallons at great expense and delay. To avoid this in future it is proposed to construct a reservoir of one hundred thousand gallons capacity, between ship-houses R and S, to be supplied from those buildings. Connected with this reservoir it is proposed to provide gutters to the buildings, pipes to the wharf, hydrant, and a small steam fire-engine for watering ships. This improvement is much needed and will effect great economy.

Capstans for sheers.—The capstans which are now in use are of wood, old, and rotten. They are liable at any time to break down and cause damage, as well as endanger the lives of those employed about them. It is proposed to replace them with suitable permanent iron capstans, placed on stone foundations, and an appropriation for this object is strongly recommended.

Quay wall near landing.—This wharf is one of the most important in the yard, and was seriously injured some time since by the operation of the propeller of the Mohican while under trial. The earth was washed away from the foundation, and it became necessary to remove the filling behind the wall as low as low water to prevent its falling. This has been done, and it is very desirable that means should be provided for rebuilding the wall, as it is much needed for receiving and shipping stores.

Futtock saw-mill.—A valuable invention has been perfected for sawing bevelled timber, and a description of work which has heretofore been performed by the slow process of the axe and adze is executed with great facility by steam and saw. Estimates are submitted for the purchase of the apparatus, and the construction of a building with a small engine, and the necessary fixtures and appliances.

Extension of storehouse No. 11.—The amount of store room now in the yard is quite limited, and great inconvenience has been experienced for the want of room for the proper stowage and protection of the large quantities of stores and valuable articles which are constantly being received. It is proposed to extend the present store fifty feet, which will add much to the accommodation, and facilitate the business of the yard.

Repairs of all kinds.—The amount submitted under this head will be necessary for the repairs of the floating dock, yard buildings, officers' quarters, bridges, landings, platforms, boats, roads, walks, drains and gutters, fences and walls, cranes, scows, furnaces, forges, and various other objects which require constant attention to keep them in proper condition.

BOSTON.

The works of improvement, which have been in progress at this yard during the past year, and which are not yet completed, are brass foundery, boiler shop, machinery for machine shop, floating gate piers, bobbins and machinery for ropewalk, and repairs of all kinds. Upon these objects there has been expended the sum of $42,009 30. The works are all in a very advanced state; some of the buildings are occupied, and all will be completed during the present season.

The amount expended, under the head of contingent, during the past year is $75,747 14.

Plans and estimates are submitted for the fiscal year ending June 30, 1863, for the following objects, viz: Reparing around the dry dock and relaying drains, paving and drainage at new shops, new yarn mill for ropewalk, boiler-house and chimney for ropewalk and yarn mill, coal house for foundery, smithery, &c., reservoir and steam-pump, water-closets, repairs of all kinds, and for the purchase of Oakman & Eldridge's wharf, amounting in the aggregate to the sum of $486,248.

Repaving around dry dock, &c.—The estimate for this object contemplates the taking up the round paving stones, with which a portion of the area is paved, and substituting the granite block paving over the whole space.

The drain on the north side of the dock is in a very dilapidated condition, and requires to be entirely rebuilt. There is much heavy hauling about the dock, and it is important that the area should be well paved and thoroughly drained.

Paving and drainage at new shops.—The space around and between the new shops, having been filled mostly with common earth, is very quickly affected by wet weather, and, as there is constant occasion for driving over all parts of this area with heavy loads, it is very desirable that it should be covered with a good substantial stone pavement. The location of this space is such as to require underground drainage by sewers leading to the dock.

Yarn-mill for ropewalk.—The business of the ropewalk has increased to such an extent that the present accommodations for preparing, spinning, tarring, and stowing yarns and cordage, are entirely insufficient, and much time is lost, and delay incurred, for want of proper room to carry on these operations. It is, therefore, proposed to erect a new yarn-mill of sufficient capacity to meet all the demands of the service, and afford convenient room for the different operations now crowded into a small space.

Boiler-house and chimney for ropewalk and yarn-mill.—Should the appropriation for the yarn-mill be granted, a boiler-house and chimney will be necessary; and it is proposed to construct this building of size sufficient to accommodate the boilers now in the ropewalk also. By this arrangement a large addition may be made to the laying ground, where additional space is much needed.

Coal-house for foundery, smithery, &c.—This building is very necessary for the proper stowage and protection of the large quantities of coal required for use in the foundery, smithery, and boiler-shop.

Reservoir and steam-pump.—These are much needed to save the expense and avoid the delay occasioned by hand pumping. The supply of water at this yard is quite limited, and it is proposed to sink an artesian well and provide a steam-pump, by which the different parts of the yard as well as ships at the wharves may be supplied with economy and despatch.

Water-closets.—These improvements are very important, and the want of them occasions much loss of time by the workmen employed in and about the new shops.

Repairs of all kinds.—The amount asked for under this head will be required for relaying a portion of the sea wall near the battery, for repairs of ropewalk, storehouses, workshops, wharves, docks, officers' houses, offices, roads and walks, fences and walls, gutters and sewers, and for dredging on the water front; and it is believed to be such as will be necessary for the proper protection and preservation of the public property.

Purchase of Oakman & Eldridge's wharf.—The peculiar position of the property which it is proposed to purchase renders its possession by the government extremely desirable. The direction of the line separating this property from the yard is such as to cross one of the launching slips, and passes so near the sheer wharf, that if the property should be improved by the proprietors in the manner they propose it will seriously incommode and interrupt the operations of the principal wharf for fitting out ships. The acquisition of this property will add materially to the deep water front, where accommodations are much needed and are at present very contracted. An appropriation for this object is strongly urged.

NEW YORK.

The works of improvement which have been completed at this yard during the past fiscal year are machinery, dredging, and launching ways to ship-house E. The amount expended upon these objects during the year is $8,222 96.

The objects upon which expenditures have been made, but which are not yet completed, are repairs of dry dock and repairs of all kinds, upon which there has been expended during the year the sum of $21,316 83.

There has been expended during the year, for objects coming under the head of contingent, the sum of $51,369 68.

Plans and estimates are submitted for the fiscal year ending June 30, 1863, for the following objects, viz.: dredging channels; building and repairing scows; houses for two officers; rebuilding long dock west of ship-house D; repairs to roof of ship-house D; repairs to roof of ship-house E; addition to office building; quay walls between launching slips; quay wall near saw-mill; sewer extension; yard drainage; boiler-house for provision store; foundery shed; machinery for machine-shop, foundery, boiler-shop, and smithery; repairs of machinery, &c., in provision store; new boilers for provision store; new boilers for saw-mill; alterations to engines in machine-shop and smithery, blowers, &c.; and for repairs of all kinds, amounting in the aggregate to $357,085.

Dredging channels and building and repairing scows.—This item is of annual occurrence, and will probably always so continue. The allotments for this work for two years past have been quite limited, and consequently a large amount of work will be required to be done in order to procure and maintain a sufficient depth of water in the channel around the yard. Owing to the difficulty and unavoidable delay in disposing of the mud from the dredging-machine, an additional number of scows are necessary, and provision for their construction is made in the estimate submitted.

Houses for two officers.—It is very desirable that all the officers attached to the yard should reside within its limits, so that their services may be available at all times. There are urgent reasons for the constant presence of the sailing master and chief engineer, whose services, especially at this time, are in constant requisition during the day and frequently at night. Estimates are therefore submitted for building houses for these officers.

Rebuilding long dock west of ship-house D.—This dock extends to deep water, and from its location is of the utmost importance in receiving and shipping stores, ordnance, &c.; it is built of wood, and is now so much decayed as to render rebuilding absolutely necessary. It is proposed at some future day to extend the quay wall across the end of the dock, but the exigencies of the service will not permit its being done at present. It is therefore proposed to repair the wharf so as to answer present purposes, having in view the future construction of the quay wall.

Repairs to roofs of ship-houses D and E.—The roofs of these large and expensive buildings leak badly, and some portions of the framework show signs of decay. It is deemed important that thorough repairs should be made as soon as possible, otherwise very serious injury will be sustained. This object is urged as one of great necessity.

Addition to office building.—The want of sufficient room in this building causes great inconvenience and interruption to the transaction of the public business. It is proposed to add twenty-five feet to the building, which will afford ample room for the officers and clerks, and greatly facilitate the business of the different offices.

Quay wall between launching slips.—In continuation of the quay wall, it is very desirable that a proper and substantial foundation should be prepared for the large derrick for masting ships, &c., and a very suitable and convenient location for this derrick will be on the wharf between the two launching slips. An estimate is therefore submitted for building that portion of the wall, and it is deemed very important that it should be constructed as soon as practicable.

Quay wall near saw-mill slip.—It is proposed to commence at the saw-mill slip and extend the quay wall towards Clinton avenue. The estimate for this object contemplates the completion of the saw-mill slip walls, the mouth of the sewers, and two hundred and fifty feet of quay wall. This line will afford an addition to the wharf room which is much needed, and will greatly facilitate the operations of the yard.

Sewer extension.—As the sewer from Flushing avenue will probably be completed to its present outlet during the present fiscal year, it is very necessary that funds should be provided to extend the same to the line of the permanent wharf. This work should be done in connexion with the quay wall, and when finished this important work of sewerage for that portion of the yard will be completed.

Yard drainage.—The necessity for a system of drainage in this yard is apparent at all seasons, especially, however, in the winter, when large areas are frequently flooded. The surface of a large part of the yard being nearly level, and at a small elevation above high water, the drainage becomes difficult, so little descent being available in the sewers; for this reason large drains to act as reservoirs become necessary. The estimate is to construct such drains, and it is believed that this will be a most valuable improvement.

Boiler-house for provision store.—The boiler now used for driving the engine in the provision store, and also for warming that building, is old and not of sufficient strength to furnish steam of the requisite pressure. This boiler is located at a distance from its work, and the steam is conveyed underground, causing loss from condensation. It is therefore proposed to erect a small boiler-house near the south end of the store, by the side of the bank wall, convenient to the point where the steam is to be used.

Foundery shed.—There is great need of more room for cleaning castings, shot, shells, &c., also for stowing flasks, fire-bricks, and other materials from the weather; and as there is no convenient building near, it is proposed to roof over the space between the foundery and boiler-house, back to the smithery. This will give an area of 6,750 square feet, which will be useful for many purposes, and would answer very well for moulding small hand-work.

Machinery for machine-shop, foundery, boiler-shop, and smithery.—To render these establishments complete, much additional machinery is absolutely necessary. The demands upon them at this time are so great that the present means are entirely insufficient for the prompt execution of the work. An estimate is therefore submitted for the purchase of such additional tools as are most needed to supply the wants of the service.

New boilers to provision store.—The boiler which drives the engine in this store and warms the building is worn out, and it is important that its place should be supplied at once, and an estimate for that purpose is submitted.

New boilers for saw-mill.—These boilers are also worn out, and unless others are speedily obtained, the important operations in this establishment must be suspended.

Alterations to engine in machine-shop and smithery, blowers, &c.—These engines need thorough overhauling and repairs, and additional blowers are necessary in the smithery. The work is important, and should be provided for without delay.

Repairs of all kinds.—The appropriations under this head for the last three years have been very limited; many of the buildings require extensive repairs, and it is believed that the amount estimated will be necessary for the protection and preservation of the public property.

PHILADELPHIA.

The works which have been in progress at this yard during the past fiscal year are all continuous: they are dredging, repairs of floating dock, and repairs of all kinds. Upon these objects there has been expended during the year $24,711 72.

Under the head of contingent, there has been expended the sum of $24,632 06.

Estimates are submitted for the fiscal year ending June 30, 1863, for the following objects, viz: Extension of joiner's shop, extension of storehouses, extension of smithery, dredging, repairs of floating dock, and for repairs of all kinds, amounting in the aggregate to the sum of $127,746.

Extension of joiners' shop, storehouses, and smithery.—Since the destruction of the Norfolk yard the business at this station has been increased to a very large amount, and the present accommodations in some of the departments are entirely inadequate to meet the demands of the service. The joiners' shop and smithery are small, and there is not room in either of them for the number of workmen required; so with the storehouses, they are too small for the safe and convenient keeping of the large quantities of stores and various articles constantly accumulating for the vessels fitting out at the yards. It is indispensably necessary that these buildings should be extended, and therefore estimates are submitted for the purpose.

Dredging.—This is a continuous work, and a small annual appropriation is necessary to maintain a sufficient depth of water for working the floating dock, and accommodating the naval vessels visiting the yard.

Repairs of floating dock.—This structure, being constructed of perishable materials, requires constant care and frequent repairs. Thus far it has been successfully and usefully employed, and is now in pretty good condition; to preserve it in this state annual appropriations are necessary, and the amount submitted is believed to be such as will be required for the purpose, and to provide six new iron floats.

Repairs of all kinds.—The estimate submitted for this object will be necessary for the proper repairs, care and preservation of the various buildings, wharves, fences and other improvements, and the protection of the public property.

WASHINGTON.

The works of improvement which have been completed at this yard during the past fiscal year are, steam engine and machinery for ordnance building; pavements, drains, and gutters; grading and filling; machinery and tools, and repairs of officers' quarters. Upon these objects there has been expended for labor $15,733 34, and for materials $4,283 92, making an aggregate of $20,017 26.

The other works of improvement upon which expenditures have been made are, dredging channels, and repairs of all kinds, upon which have been expended for labor $9,412 25, and for materials $2,218 36, making an aggregate of $11,630 61.

Under the head of contingent, there has been expended during the fiscal year the sum of $77,675 63.

Estimates are submitted for the fiscal year ending June 30, 1863, for the following objects, viz: Machinery and tools, paving, gas works, and repairs of all kinds, amounting in the aggregate to the sum of $76,985.

Machinery and tools.—Under this head is embraced a list of tools which are much needed at this time. The shops are large and convenient, but past and present experience show the total inadequacy of the present machinery to meet the large demands of the service upon the yard with that degree of promptness which is necessary and desirable.

Paving.—The amount asked for this object is greatly needed for making good roads in certain parts of the yard where there is much heavy hauling, and will contribute largely to the easy transportation of the quantities of heavy articles which are constantly being hauled to and from the wharves.

Gas works.—The consumption of gas at this yard has increased to such an extent as to render it a very heavy item of expense. The monthly bills have been as high as $1,200, and it is confidently believed that a very great saving may be effected by the erection of gas works at the yard.

The navy yard is the lowest point at which gas is consumed, and consequently the pressure is very weak; and as the mains pass over Capitol hill, it is doubtful whether a sufficient supply from the present source can be obtained for the large number of burners in the yard when the consumption at the Capitol commences, as the gas for supplying that building will be taken from the highest point in the main. This object is considered of much importance, and an appropriation is strongly urged.

Repairs of all kinds.—The amount estimated under this head is such as will be required to meet the necessary demands upon it for the requisite repairs upon the various buildings, docks, warves, and other improvements.

SAN FRANCISCO.

No works of improvement have been reported as completed during the past fiscal year. The works which have been in progress during the year are, wharf, officers' houses, grading and paving guard-house No. 73, foundery, boiler establishment, &c., cisterns, gas works, and repairs of all kinds; and on these several objects there has been expended during the year the sum of $79,499 27.

Under the head of contingent, there has been expended during the past fiscal year the sum of $48,844 68.

Plans and estimates are submitted for the fiscal year ending June 30, 1863, for the following objects, viz: completion of foundery and equipment of same; completion of Bishop's derrick; grading; completing officers' houses; completing gas works; two iron wharf cranes; machinery, and tools for smithery; foundation and ways for ship-house No. 34; four cisterns; storehouse No. 45; scows; lighters; stages; and pile-drivers; drainage and sewerage; boat-house and slip, and for repairs of all kinds, amounting in the aggregate to the sum of $409,906.

Completion of foundery and equipment.—This building is well advanced towards completion, and it is very desirable that means should be provided for finishing the building and furnishing the necessary equipment of furnaces, tools, and fixtures, that it may be made available for the purpose intended.

Completion of Bishop's derrick.—A small additional appropriation is necessary to complete this important object. No means have been provided for raising heavy weights, such as vessels' masts, steam boilers, &c., and the want of such apparatus causes much inconvenience and delay. It is therefore of much importance that this machine should be completed without further delay.

Grading.—The surface of this yard is very uneven, and, as the work of erecting buildings progresses, and the operations of the yard are extended, the work of grading the yard must necessarily be continued, and annual appropriations for this object will be required for some time to come.

Completing officers' houses.—There are four houses for officers in an unfinished state; all are well advanced, and they are much needed for the accommodation of the officers attached to the yard. The location of the yard is such, being upon an island, that it is of the utmost importance that quarters should be prepared for all the officers, so that they may at all times be at hand in cases of necessity requiring their presence.

Completing gas works.—An appropriation for this object is much needed. The great extent of the shore line, which is unprotected, renders an additional number of lights essential for the safety of the public property, and it is now proposed to extend the pipes to other parts of the yard where lights are required.

Two iron wharf-cranes.—Thus far no facilities of this nature have been provided for the landing of heavy materials, and consequently much inconvenience and expense are incurred in all operations of the kind. Iron cranes are recommended on account of their strength, durability, and economy. Two of these placed at convenient points will render very valuable service.

Machinery and tools for smithery.—With the view of supplying the necessary labor-saving machinery and tools for this establishment, and in this locality, where the necessity for such appliances is so obvious, an estimate is submitted for the purpose. As these machines will effect a great economy in labor, the cost of their purchase will soon be saved by the reduced expense of work executed by them.

Foundation and ways for ship-house No. 34.—The importance of conveniences of this kind is obvious. No beginning has been made at this yard for their supply, and it is proposed to commence on the site marked 34, by constructing suitable and substantial building ways, and preparing the foundation for the ship-house. The amount estimated will probably be sufficient for the purpose, and it is desirable that an appropriation for this object should be made at once.

Four cisterns.—Unsuccessful attempts have been made to obtain a supply of fresh water by means of wells, and it is ascertained that the only sure method is to construct large cisterns to receive and retain the rain water from the various buildings in the yard. Some have been built, and furnish a partial supply; others are needed, and an appropriation for this object is deemed of much importance.

Storehouse No. 45.—The amount of store room is insufficient to meet the wants of the service. The supplies of stores and materials are gradually accumulating as the business of the yard increases, and it is important and necessary that proper provision should be made for their accommodation and protection.

Scow, lighters, stages, and pile-driver.—A small amount is asked for furnishing these indispensable objects for the general purposes of the yard, in which respect there is now a deficiency.

Drainage and sewerage.—From the condition of the grading several of the dwelling houses are, during the winter, liable to be flooded at any time. This has occurred repeatedly, and in some cases it has been necessary to use the fire engines to clear the cellars. The houses must not only be unhealthy to the occupants, but must themselves in time be greatly injured. It is proposed to construct the sewer at a depth which will drain these cellars, and to provide a connexion for the escape of any water that may find entrance to them.

Boat-house and slip.—Nothing of this kind has yet been prepared at this yard. The construction of a house and landing will add much to the convenience of the yard, afford protection to the boats, and secure them against injuries to which they are now exposed.

Repairs of all kinds.—For the proper repairs and protection of the various buildings, docks, wharves, &c., the estimate submitted will be required.

SACKETT'S HARBOR.

The only expenditures at this station during the past year have been for the necessary repairs of the buildings, wharves, and fences, amounting to the sum of $1,246 02.

Estimates are submitted for the fiscal year ending 30th June, 1863, for the protection of the harbor and ship-house, and for repairs of all kinds, amounting to $1,500.

Recent storms have injured the ship-house and wharf. It is very important that the damages should be promptly repaired; otherwise serious results may be apprehended.

HOSPITALS.

Portsmouth, New Hampshire.—At this station there are no proper and comfortable quarters provided for the sick. Ships with an epidemic sickness on board are generally ordered to the most northern ports, and it is important that a proper building should be prepared for the reception and treatment of the sick. An estimate is therefore submitted for a small hospital, where the sick can be properly cared for and their wants supplied. The amount asked for this object is $20,000.

Boston.—For the necessary annual repairs of the hospital building and its appendages at this station there has been expended during the past year the sum of $2,442 10.

Estimates are submitted for the fiscal year ending 30th June, 1863, for extending the hospital building, and for repairs of all kinds, amounting to the sum of $32,500.

Extension of hospital.—Only a small part of this building, as originally designed, has been erected, and it is entirely insufficient to accommodate the number of patients now requiring treatment. It is therefore of the utmost importance that additional accommodations should be provided. An estimate is submitted for enlarging the building to an extent to meet the wants of the service for some time to come.

Repairs of all kinds.—The amount submitted under this head is the usual annual estimate for the repairs of buildings, roads, walks, and fences.

New York.—For the necessary repairs of the hospital, surgeon's house, fences, furniture, &c., there has been expended during the past fiscal year the sum of $12,849 61.

Estimates are submitted for the fiscal year ending June 30, 1863, for repairs and improvements of hospital buildings, repairs to laboratory building and apparatus, and for a dwelling for the director of the laboratory, amounting in the aggregate to the sum of $21,500.

Naval asylum, Philadelphia.—The amount expended at this institution during the past year for general repairs of buildings, furniture, furnaces and grates, gas, water rent, and care of the public grounds, is $4,816 46.

Estimates are submitted for the fiscal year ending June 30, 1863, for furniture and repairs to same, house-cleaning and whitewashing, repairs to furnaces, grates, and ranges, gas and water rent, painting surgeon's house, painting wall along Shippen street, general repairs to hospital buildings, and for the support of the beneficiaries, amounting to the sum of $32,300.

These expenses are of annual occurrence, and are necessary for the preservation of the buildings and the comfort of the inmates.

MAGAZINES.

Portsmouth, N. H.—The works of improvement which have been completed at this yard during the past fiscal year are: Gun-carriage, shop and storehouse, boiler-room, boiler and machinery, gun-skids, and powder magazine. Upon these objects there has been expended during the year for labor $15,157 58, and for materials $13,380 12, making an aggregate of $28,537 70.

Other works upon which expenditures have been made during the year are: Shot-beds and repairs of all kinds, and upon these there has been expended for labor $4,584 53, and for materials $2,396 60, making an aggregate of $6,981 13.

The unexpended balance on hand will be sufficient to meet the expenditures for the year ending June 30, 1863.

Boston.—The amount expended for repairs of magazine during the past year is $471 47.

Estimates are submitted for the fiscal year ending June 30, 1863, for repairs of buildings and grounds, addition to magazine, and for wall to enclose magazine grounds, amounting in the aggregate to the sum of $32,913.

New York—During the past year the gun-sighting ground has been completed. The amount expended upon this object the past year is $8,731 91.

The other objects under the head of magazine upon which expenditures have been made are: Shot-beds and gun-skids, and repairs of all kinds. Upon these objects there has been expended during the year $3,455 38.

Estimates are submitted for the fiscal year ending June 30, 1863, for an additional story and improvements to armory, house for storage of loaded shells, and for repairs of all kinds, amounting in the aggregate to the sum of $55,249.

Philadelphia.—At this station there has been expended during the past year, for repairs upon buildings, wharf, &c., $733 76. The balance in hand will be sufficient for the next year.

Washington.—The amount expended during the past year for repairs of magazine, storehouse, keeper's houses, wharf, fence, and foundation for experimental battery is $4,797 17.

An estimate is submitted for the fiscal year ending June 30, 1863, for general repairs of magazine and ordnance buildings, amounting to $6,000.

San Francisco.—There has been expended at this yard during the past year upon the magazine and its appendages the sum of $16,865 99.

A further appropriation will be required for the fiscal year ending June 30, 1863, of $2,000.

NAVAL ASYLUM.

The affairs of this institution during the past year have been administered with economy and good order. But few cases of insubordination have been reported requiring the interference of the department. Much of this is attributed to the mild yet judicious system of discipline which has been introduced and practiced by the officers of the institution. There were on the 1st instant one hundred and eighty-one persons, including officers and attendants, borne on the rolls of the asylum. Seventeen beneficiaries have been admitted, and thirteen have died during the year previous.

The expenses of the institution for the year ending June 30, 1861, have been as follows, viz :

Subsistence	$13,779 59
Clothing, tobacco, &c	7,199 49
Miscellaneous items	4,574 24
Officers and attendants	17,024 92
Total	42,578 24

The bureau forbears now to repeat the views that it has so often expressed in reference to the ineligibility of the present location of the asylum, nor is this deemed a fitting occasion to renew the recommendations heretofore made of allowing such of the beneficiaries as may so elect an annual stipend according to rank, in lieu of a home in the asylum. The views of the bureau on these points have undergone no change, but in the present juncture of affairs it is not deemed advisable to take action in the premises.

All of which is respectfully submitted.

JOS. SMITH.

Hon. GIDEON WELLES,
Secretary of the Navy.

BUREAU OF ORDNANCE AND HYDROGRAPHY.

NAVY DEPARTMENT, *Washington City, November* 18, 1861.

SIR: I have the honor to submit estimates for the sums required to meet the expenditures for the fiscal year ending June 30, 1863, for ordnance, ordnance equipments, and stores; for hydrographical purposes generally; the publication of the Nautical Almanac; for the Naval Academy; and contingent and incidental expenses, such as the purchase of books and payment for telegrams.

The aggregate estimates are $1,700,000 more than those for the year ending June 30, 1862; the latter having been, in some degree, conjectural under an entire new state of circumstances, wherein the anticipated requirements could not be closely calculated. The present estimates, however, are based upon data derived from the experiences of a war status.

The large increase of ordnance material required necessarily calls for a commensurate increase in the means of fabrication at the yards; the estimates for which, not having reached the bureau in time to be engrossed in those of the Bureau of Yards and Docks, are included in the estimates for this bureau, under the head of an appropriation, "For increase and repair of ordnance machinery and shops," amounting to $321,000.

At the Portsmouth yard it is proposed to construct a wing on the west similar to that on the eastern end of the ordnance building, and to be used for storage purposes. The construction of this new wing is an absolute necessity for the convenient, safe, and economical arrangement of ordnance stores, and to furnish additional room for the manufacture of gun-carriages and the repair of small arms. The estimates for this building amount to $36,491 51.

At the Boston yard there are required a new ordnance store, including steam engine and shafting, at a cost of	$75,000
An addition to the magazine at Chelsea, amounting to	11,000
And for repairs of magazine and shell houses	2,000
Making the sum of	88,000

The improvements in the New York navy yard are engrossed in these estimates, in consequence of the earnest representations of the ordnance officer at that yard that they will, if authorized, add greatly to the efficiency of the ordnance department there. I would beg leave to remark that the increased and increasing demand for ordnance equipments of the fleet call imperatively for increased facilities for storage, and space to perform, under cover, the duties devolving on the gunner and his gang.

At the Philadelphia yard an appropriation of $1,000 is asked, for building a small powder magazine in the yard, to obviate the difficulty of sending to Fort Mifflin at times when the road is almost impassable.

At the Washington yard it is recommended by the commandant "that $100,000 be appropriated for buildings, machinery, and dependencies of any kind of the naval ordnance department of this station."

The importance and amount of labor done at the New York and Washington yards can scarcely be overestimated. The increase and improvements in ordnance at the latter yard is without a parallel in the country.

Under ordinary circumstances it would be expected that the estimates for outfits and stores, in connexion with the armament, as well as for guns, should be definite; but in the present state of affairs, amidst all the vicissitudes and varying requirements of war, nothing more can be done, in many cases, than to provide, not only for present and apparent wants, but for probable contingencies. In all cases, however, where estimates could be made in detail, this course has been pursued.

The Naval Observatory.—The increased number of vessels afloat—more than five times greater than required to be provided for during previous years, and still increasing—calls for a proportionate supply of instruments. The sum, therefore, asked for seems to be indispensable for the proper demands of the service.

The Nautical Almanac.—The usual estimates and the report of the superintendent of the Nautical Almanac are herewith transmitted.

The Naval Academy.—Notwithstanding the necessity of moving this establishment, and putting the first and second classes of acting midshipmen into active service afloat, the value of the institution has never been more apparent; and I respectfully desire to recommend that it may be maintained and cherished to the highest standard compatible with its interests to the country, as the healthy germ which may unceasingly produce educated officers for our navy. While, during the recent troubles, the theoretical course of instruction has not been materially abridged, the practical branches in seamanship and gunnery have derived a new impetus from the necessity of bringing the acting midshipmen forward as rapidly as possible to fill the vacancies required by the sudden expansion of the fleet.

Before concluding this report, permit me to remark that under the peculiar circumstances in which the bureau was placed, entering upon the duties of an almost deserted office, where scarcely a clerk remained loyal to his trust, measures were taken to meet, so far as was possible at the time, the immediate wants of the service; and notwithstanding the great requirements from not only a vast number of purchased vessels and numerous men-of-war put afloat in an unprecedented short space of time by the energy of the Navy Department, such ordnance as was on hand was promptly furnished, and, so far as comes within the knowledge of the bureau, not a vessel of the fleet has, up to this date, been detained a single day for her ordnance equipment.

With reference to rifled cannon, for which there has been an unceasing demand, the bureau, after mature consideration, decided that it would be injudicious to rifle the old navy models, on account of their form not being adapted to the severe strain to which rifled ordnance is subjected. Another consideration which added force to this decision was, that in the guns formerly made for the navy the treatment of the iron was different from that pursued in more recent years, and which is now deemed to be a matter of paramount importance.

But to meet as near as was practicable pressing emergencies, the bureau, after due investigation into the best description of this kind of ordnance, selected that which was available, and which has been produced by the enterprise of private establishments.

Meanwhile the genius of Commander Dahlgren designed new models for rifled cannon, which have been put in hand; and now, with every possible appliance of founderies and machine shops that are found available throughout the country, as well in the public works as in private establishments, there is every reason to believe that, under any probable contingency which may arise, the demand for ordnance will be promptly supplied with cannon fully equal, if not superior, to any known to exist at home or abroad.

It is proper to add, in this connexion, that the confidence of the bureau in the power and effect of the Dahlgren heavy ordnance in the recent attack on the forts at Port Royal is entirely confirmed.

I beg leave to add that while but a small working force of experienced ordnance officers could be spared from the service afloat, and who, though at a severe sacrifice of personal feeling in the chances of distinction at sea, have nevertheless seconded the bureau in all its duties with the most untiring zeal and devotion in the loyal cause for which they are enlisted.

I am, sir, with great respect, your obedient servant,

ANDREW A. HARWOOD, *Chief of Bureau.*

Hon. GIDEON WELLES,
Secretary of the Navy, Washington.

BUREAU OF CONSTRUCTION, EQUIPMENT, AND REPAIR.

NAVY DEPARTMENT, BUREAU OF CONSTRUCTION, &c.,
November 18, 1861.

SIR: I have the honor to transmit herewith one copy of the estimates for objects coming under the cognizance of this bureau for the fiscal year ending 30th June, 1863, as directed by your letter of the 17th September, 1861.

I am, sir, very respectfully, your obedient servant,

JOHN LENTHALL,
Chief of the Bureau.

Hon. GIDEON WELLES,
Secretary of the Navy.

NAVY DEPARTMENT, BUREAU OF CONSTRUCTION, &c.,
November 18, 1861.

SIR: In compliance with your instructions of the 17th September, I have the honor to transmit herewith the estimates, as far as appertains to this bureau, of the amounts which it is believed will be necessary to meet the expenditures of the fiscal year ending 30th June, 1863:

For the pay of commission officers, warrant officers, and men, the sum of $10,950,000.

For the repairs of the sailing and steam vessels of the navy, including the steam machinery, the sum of $7,400,000.

For the repair of sailing and steam vessels purchased for the blockading squadron, including steam machinery, the sum of $4,000,000.

For the charter of vessels, stores, extra laborers, and the purchase of additional steam vessels, with their wear and tear, the sum of $4,800,000.

For the purchase of coal for steamers' use, and the expenses thereof, the sum of $2,160,000.

For the purchase of hemp and other materials, the sum of $540,000.

For expenditures under the head of "enumerated contingent," the sum of $1,000,000.

These estimates contemplate nothing more than the maintenance of the vessels afloat, and the casualties of war may much increase the amount.

Respectfully, sir, your obedient servant,

JOHN LENTHALL,
Chief of the Bureau.

Hon. GIDEON WELLES, *Secretary of the Navy.*

BUREAU OF PROVISIONS AND CLOTHING.

Abstract of annual report, dated November 25, 1861.

Transmits estimates, abstracts and statements; supplies for the navy obtained without difficulty; asks appropriation in aid of the "Clothing Fund;" additional force required in the pay department; pay of clerks to paymasters.

Bureau of Provisions and Clothing,
November 25, 1861.

Sir: In compliance with your instructions under date of September 17, 1861, I have the honor to submit the enclosed estimates, marked A, B, and C, with abstracts and statements, marked D to O, both inclusive.

The past half year has been, from several causes, one of unusual difficulty for supplying the navy with provisions and clothing, especially as the arrangements for supplies had been made before the great increase in its numbers. This alone would have presented some difficulties, but the subsequent change of the tariff and the cutting off of the supplies of several articles, produced mainly in our southern States, increased these difficulties materially. Notwithstanding this, there has been little inconvenience experienced from want of supplies, coming under the cognizance of this bureau.

The clothing fund of the navy, established by appropriations made in 1843, 1844, and 1845, is inadequate to the present demands of the service. At the time of its creation, the number of seamen employed was limited by law to 7,500; in March, 1857, the number was raised to 8,500; and no addition has been made to the fund since March, 1845. The recently increased number of men in the naval service necessarily calls for a corresponding increase of the clothing fund.

It is proper to state in this connexion that the clothing for the navy is procured by the government by contract, and placed on board the several vessels, in charge of the paymaster, who disburses the same to the seamen as required, charging them therefor, with the addition of ten per cent. On the settlement of the paymasters' accounts, the value of the clothing thus disbursed is restored to the fund, by which operation it becomes a self-sustaining one, and would probably so continue but for the extraordinary demands now made upon it.

In the estimates herewith submitted an item of $300,000 for clothing is included, which is estimated to be sufficient for the wants of the service during the year.

The new grade of assistant paymasters will doubtless improve the pay department of the navy, by giving it a class of young officers who on previous examination have been proved to be mentally and physically suited to the duty. The slight increase of pay officers which was authorized at the last session is entirely insufficient for the wants of the service, and it would, in my opinion, be advisable to have the number materially increased.

The compensation of clerks in the pay department at navy yards is much less than that of other clerks at the same yards. The pay of first clerk to commandant is $1,200 at all navy yards except at Mare Island, where it is $1,500. The pay of clerk of the yard and of naval storekeeper at Boston and New York is also $1,200, while the clerk to the paymaster at these yards receives but $750, though his labors and responsibility are quite as great as those of any of the clerks mentioned.

From a full knowledge of the duties of the clerks to paymasters and the business capacity requisite to fill the station properly, I can safely state that their present pay is disproportioned to the services performed, as well as to the pay allowed other clerks.

On board ship, also, the compensation of paymasters' clerks is very small. In frigates it is but $500, and in smaller vessels but $400 per annum. The prompt and correct performance of the duties of paymaster's clerk requires a better class of men than their present pay will command. I respectfully recommend the following pay for paymasters' clerks, viz: at shore stations, on board receiving ships at New York and Boston, and in vessels with the complement of five hundred or over, $1,000 per annum; in other receiving vessels and in vessels with the complement of three hundred and less than five hundred, $750 per annum; and in smaller vessels, $600.

I am, very respectfully, sir, your obedient servant,

H. BRIDGE,
Chief of Bureau.

Hon. GIDEON WELLES,
Secretary of the Navy.

BUREAU OF MEDICINE AND SURGERY.

NAVY DEPARTMENT, BUREAU OF MEDICINE AND SURGERY,
October 22, 1861.

SIR: In compliance with your instructions of the 17th ultimo, I have the honor to submit estimates of the amount required for the support of the Bureau of Medicine and Surgery and the medical department of the navy (with the exception of hospitals) for the fiscal year ending June 30, 1863.

The fiscal condition of the medical department is represented as follows:

Balance of former appropriations for "surgeons' necessaries and appliances," remaining in the treasury June 30, 1861........	$17, 358 08
Appropriations for "surgeons' necessaries and appliances," or the fiscal year ending June 30, 1862, per act of Congress approved February 21, 1861	35, 550 00
Appropriations for "surgeons' necessaries and appliances," to meet any deficiency that may arise, per act of Congress approved August 5, 1861	25, 000 00
Amount of hospital fund in treasury June 30, 1861............	134, 302 91
Amount required for the support of the Bureau of Medicine and Surgery for the year ending June 30, 1863.—(Schedule A.) .	9, 990 00
Amount required for the medical department of the navy on shipboard, and on all naval stations, with the exception of hospitals, for the year ending June 30, 1863.—(Schedule B.)..........	77, 900 00

In view of the balance of surgeons' necessaries and appliances available at this date, it is believed that an appropriation under this head of $60,000 will be ample for our purposes during the coming fiscal year.

I submit tabular statements of sick, compiled from the reports of sick from the naval stations within the United States, and from the squadrons, and vessels on separate service, in commission, on home and foreign stations, for the year ending December 31, 1860.

These tables exhibit the predominant diseases to which seamen are liable; the sickness incident to the various stations on which our public vessels are employed; the ratio of mortality among the sick, as well as the proportion of cases of sickness and death to the whole number engaged in the naval service.

Tabular statement of sick, compiled from the reports of sick from the naval stations within the United States, and from squadrons and vessels on separate service, in commission on home and foreign stations, for the year ending December 31, 1860.

Naval stations.	Remaining sick December 31, 1859.	Admitted in 1860.	Discharged in 1860.	Died in 1860.	Total treated in 1860.	Remaining sick December 31, 1860.	Percentage of deaths to whole number of cases treated.
HOSPITALS.							
Chelsea	8	117	113	4	125	8	3.20
New York	80	318	300	13	398	85	3.26
Philadelphia	14	179	159	20	193	14	10.34
Norfolk	14	163	140	5	177	32	2.82
Pensacola	4	125	115	5	129	9	3.86
	120	902	827	47	1,022	148	4.59
NAVY YARDS.							
Portsmouth, N. H	......	87	87	....	87	......	....
Boston	4	166	168	1	170	1	0.59
New York	5	136	141	....	141	......	....
Philadelphia	7	206	209	1	213	3	0.47
Washington	9	440	433	3	449	13	0.66
Norfolk	7	181	184	....	188	4	....
Pensacola	3	325	328	....	228	......	....
Naval Academy, Annapolis	4	405	399	1	409	9	0.24
National Observatory and special service	......	7	7	....	7	......	....
	39	1,953	1,956	6	1,992	30	0.30
RECEIVING SHIPS.							
Boston	9	150	157	1	159	1	0.63
New York	4	279	276	....	283	7	....
Philadelphia	9	153	162	....	162	......	....
Baltimore	9	101	108	....	110	2	....
Norfolk	1	153	149	2	154	3	1.29
Mare Island	......	48	47	....	48	1	....
	32	884	899	3	916	14	0.32

Statement of sick, &c.—Continued.

Squadrons, &c.	Average number employed in 1860.	Remaining sick December 31, 1859.	Admitted in 1860.	Discharged in 1860.	Died in 1860.	Total treated in 1860.	Remaining sick December 31, 1860.	Proportion of cases to No. of persons in squadron.	Proportion of deaths to No. of persons in squadron.	Percentage of deaths to No. of cases treated.
Home squadron	2,319	75	3,229	3,219	23	3,304	62	1. 42	0. 99	0. 69
Pacific	1,384	102	1,884	1,933	8	1,986	45	1. 45	0. 58	0. 40
Mediterranean	439	13	908	871	4	921	46	2. 09	0. 89	0. 36
Brazil	771	14	658	651	....	672	21	0. 87	....	....
African	1,329	49	1,159	1,166	10	1,208	32	0. 91	0. 75	0. 83
East India	960	56	1,411	1,422	17	1,467	28	1. 52	1. 77	1. 16
Storeships	96	6	228	234	....	234	....	2. 44	....	....
Special service	388	....	559	528	3	659	28	1. 44	0. 77	0. 54
Lakes	47	....	12	12	....	12	....	0. 25	....	....
	7,733	315	10,048	10,036	65	10,363	262	1. 34	0. 84	0. 63

RECAPITULATION.

	Remaining sick December 31, 1859.	Admitted in 1860.	Discharged in 1860.	Died in 1860.	Total treated in 1860.	Remaining sick December 31, 1860.
Hospitals	120	902	827	47	1, 022	148
Navy yards	39	1, 953	1, 956	6	1, 992	30
Receiving ships	32	884	899	3	916	14
Squadrons, special service, &c.	315	10, 048	10, 036	65	10, 363	262
	506	13, 787	13, 718	121	14, 293	454

Summary of prevalent forms of disease on foreign and home service, for the year 1860.

	Home squadron, 2,319 men.	Pacific squadron, 1,384 men.	Mediterranean squadron, 439 men.	Brazil squadron, 771 men.	African squadron, 1,329 men.	East India squadron, 960 men.
Febrile diseases	601	287	107	33	165	170
Diseases of digestive system	642	291	163	145	230	339
Diseases of respiratory system	495	185	178	58	194	107
Diseases of circulatory system	30	10	1	11	11	4
Diseases of brain and nervous system	121	53	17	17	45	14
Diseases of cutaneous and cellular system	319	325	102	67	135	83
Diseases of fibrous, muscular, and osseous system	318	153	82	54	89	89
Diseases of genito-urinary system	168	177	108	65	107	178
Diseases of eye and ear	56	38	5	14	60	6
Wounds and injuries	512	293	129	87	126	86

At the close of the year 1859, there remained under treatment 506 cases; during the year 1860, there occurred 13,787 cases of disease, injury, &c., making a total of 14,293 cases treated during the year; of which number 121 died, 13,718 were returned to duty or discharged the service; leaving 454 cases under treatment at the end of the year 1860.

The average strength of the navy (officers, seamen, marines, and engineer corps included,) was about 11,000.

The proportion of cases admitted to the whole number of persons in the service was about 1.26; or each person was on the sick list $1\frac{26}{100}$ times during the year. The proportion of deaths to whole number in the service was 1.1; and the percentage of deaths to the whole number of cases 0.84, or one death in about 120 cases.

During the year 1860, the following vessels were employed on the African station, whose sick reports furnish the following results:

The Constellation, with complement of 330, had two deaths, and a daily sick list of 6 +.

The San Jacinto, with a complement of 248, had one death, and a daily sick list of 9 +.

The Portsmouth, with a complement of 210, had two deaths, and a daily sick list of 10 +.

The Mohican, with a complement of 181, had one death, and a daily sick list of 5 +.

The Sumter, with a complement of 102, had one death, and a daily sick list of 4 +.

The Mystic, with a complement of 92, had no death, and a daily sick list of 1 +.

ON THE EAST INDIA STATION.

The Hartford, with a complement of 338, had three deaths, and a daily sick list of 15 +.

The John Adams, with a complement of 180, had three deaths, and a daily sick list of 8 +.

The Saginaw, with a complement of 57, had one death, and a daily sick list of 2 +.

ON THE BRAZIL STATION.

The Congress, with a complement of 490, had no death, and a daily sick list of 15 +.

The Bainbridge, with a complement of 80, had no death, and a daily sick list of 3 +.

The Dolphin, with a complement of 78, had no death, and a daily sick list of 3 +.

ON THE HOME AND GULF STATION.

The Sabine, with a complement of 475, had four deaths, and a daily sick list of 7 +.

The Brooklyn, with a complement of 330, had one death, and a daily sick list of 13 +.

The St. Louis, with a complement of 169, had two deaths, and a daily sick list of 9 +.

The Crusader, with a complement of 92, had no death, and a daily sick list of 3 +.

The Mohawk, with a complement of 85, had no death; and a daily sick list of 3 +.

The Wyandotte, with a complement of 77, had no death, and a daily sick list of 2 +.

ON THE PACIFIC STATION.

The Lancaster, with a complement of 412, had three deaths, and a daily sick list of 18 +.

The Saranac, with a complement of 222, had one death, and a daily sick list of 12.

The St. Mary's, with a complement of 167, had no death, and a daily sick list of 12 +.

The Cyane, with a complement of 171, had no death, and a daily sick list of 8 +.

The Wyoming, with a complement of 148, had no death, and a daily sick list of 4 +.

The Narragansett, with a complement of 119, had no death, and a daily sick list of 3 +.

Hospital Fund.

The condition of the hospital fund is represented as follows:

Balance remaining on hand June 30, 1860	$114,852 40
Transfers to the fund by Fourth Auditor in settlement of accounts, &c., during the year ending June 30, 1861	35,603 41
Transfers to the fund on account of supplies by naval laboratory to vessels and navy yards during the year ending June 30, 1861	21,710 71
Total amount of fund for year ending June 30, 1861	172,166 52
Expended during the year ending June 30, 1861	37,863 57
Balance on hand June 30, 1861	134,302 95

Naval hospitals are supported exclusively from this fund, which is maintained by a monthly deduction of twenty cents from the pay of officers, seamen and marines, by the transfer of pensions of such persons as commute pensions for support in the naval asylum, and of the cost price of the rations of sick subsisted in hospitals.

The expense, per week, of the hospital patients for the year ending June 30, 1860, has been $——— under all the heads coming under the cognizance of this bureau.

NAVAL LABORATORY.

This establishment continues to meet all demands, and to answer satisfactorily the purpose for which it was established. In addition to its regular duties, it affords valuable aid to other departments of the navy, in the way of analysis, or other careful examination of various articles offered under contract, whose composition and quality could not be determined by mere physical inspection.

Amount purchased for laboratory, for the year ending June 30, 1861	$20,853 88
Value of issues from laboratory	23,204 10
Stock on hand, machinery and appliances, June 30, 1861,	23,797 35

INSANE OF THE NAVY.

On September 30, 1860, three officers, three marines, and ten seamen remained under treatment in the government hospital for the insane, near this city. During the year ending September 30, 1861, two officers, two marines, and three seamen were admitted; one officer, four marines, and five seamen were discharged, leaving in the hospital September 30, 1861, four officers, one marine, and eight seamen.

NAVAL HOSPITALS.

The great expansion of the navy, together with the contingencies of war and climate, render the extension of our present hospital accommodations a matter of indispensable necessity.

At this station we have been obliged to seek temporary accommodation for sick and wounded of the vessels employed in the Potomac and Hampton Roads at the government asylum for the insane, much to the inconvenience of that establishment, though it was most generously placed at our disposal by the Hon. Secretary of the Interior and the superintendent, Dr. C. H. Nichols, for the reception of the marines wounded in the battles of July, and for the seamen wounded in the various actions on the Potomac. The large increase of the marine corps, the principal garrison being at this point, and the probable greater importance of the yard hereafter as a naval station, suggests the necessity of having in this vicinity a proper receptacle for the sick and wounded under the immediate control of the department.

The naval station at Postsmouth, New Hampshire, is also entirely destitute of any proper accommodation for sick, though, from its situation, it is the most eligible of our home stations for vessels to seek when assailed by epidemic disease.

At these two stations I am of opinion that wooden buildings, of appropriate design, would be found to answer all our purposes for years to come. They would cost but little in comparison with the usual style of hospital structures, and possess the great advantage of more rapid construction.

At the Boston station a small section of a building, projected some thirty years ago, has hitherto supplied the wants of the navy, though imperfect in every essential feature of a hospital. It cannot properly accommodate more than sixty patients, and is already full. It is suggested that this building be enlarged by adding a section of similar size, remodelling the interior so as to embody all the modern improvements and appliances of hospitals.

No contracts have been made by the bureau during the year.

Very respectfully, your most obedient servant,

W. WHELAN, *Chief of Bureau.*

Hon. GIDEON WELLES,
Secretary of the Navy.

MARINE CORPS.

HEADQUARTERS MARINE CORPS,
Washington, November 23, 1861.

SIR: I have the honor to report that, in pursuance of orders from the department, under date of April 22 and May 30, I proceeded to enlist 1,152 additional non-commissioned officers and privates, and in a short time obtained quite a large number of young, able-bodied men, of a class generally much superior to that received at other times. For a month or two past recruits have come in but slowly; yet the corps has now nearly its legal complement of men. The general return which accompanies this will show the distribution of the present force at sea and on shore.

It gives me very great pleasure to state that since my last annual report the efficiency and discipline of the corps have been kept up to the highest standard, the commanding officers of the respective stations having been very active and zealous in bringing forward and properly instructing the large number of recruits enlisted within the year.

Since the commencement of the existing rebellion, one adjutant and inspector, five captains, nine 1st lieutenants, and four 2d lieutenants have resigned, in consequence of their unwillingness to serve against the south. The loss of so many officers of military experience has made it quite embarrassing to me to detail officers for the various guards and detachments required for immediate and important service; and in some instances I have been compelled to select young 2d lieutenants, of a few months' experience, for commands which, under other circumstances, would have been assigned to captains of fifteen or twenty years' service. I am happy to say, however, that no complaint has yet been made of inefficiency or neglect on the part of any officer in carrying out the orders of the government intrusted to his execution.

The young officers appointed under the recent act of Congress, thirty-eight in number, have reported for duty, and, having undergone a thorough course of military instruction and drill, nearly all of them are now in active service. Although I could have wished that Congress had authorized the selection of a portion of the number from the cadets of West Point, yet it gives me great pleasure to state that the young gentlemen appointed by the department have proved themselves in every way worthy of the confidence placed in them. They have all thus far been very attentive to duty, have shown a great desire to become thoroughly acquainted with the duties of their profession, and an eagerness to enter upon its more active duties in the field. I have no doubt they will in a short time be able to fill, with credit to themselves and the country, the places of those who abandoned the service in its hour of need.

In July last, under orders from the department, I prepared a battalion of twelve officers and three hundred and thirty-six men for duty with the army under General McDowell. This battalion was organized into four companies, and placed under the immediate command of Major John G. Reynolds, an officer of skill and experience; the respective companies being placed under the command of Brevet Major Zeilin, Captain Jones, 1st Lieutenant Ramsay, and 2d Lieutenant Cartter—the latter a young 2d lieutenant of less than two months' service. The battalion was necessarily composed almost entirely of recruits, many of whom received their arms only a day or two before leaving the barracks, and probably some of them had never had arms in their hands before. Under these circumstances, notwithstanding my great confidence in the officers, I could not but feel great anxiety lest the battalion should fail to sustain that reputation for good conduct and gallantry in the face of the enemy which the corps has hitherto maintained on every field and in every clime. The report of the major commanding as to the part taken by his command in the action of the 21st July is already before the department, and it is unnecessary for me to further allude to it. I owe it, however, to the reputation of the corps to remark that it is the first instance recorded in its history where any portion of its members turned their backs to the enemy.

In September last, under orders from the department, I organized another battalion of nineteen officers and three hundred and thirty men for duty in the expedition to the coast of South Carolina. This command was also given to Major John G. Reynolds. The officers and men selected for this important service have been thoroughly instructed in all the duties of the soldier, are armed and equipped in the most efficient manner, and are as fine a body of men as can be found in the service. I have every confidence that if brought into action they will acquit themselves with credit and honor. I regret to learn that in the disaster which befel the vessel in which they were embarked seven lives were lost, together with a large quantity of clothing, equipments, &c. Immediate measures have been taken to supply them with every necessary article for their efficiency or comfort.

To enable me to furnish guards for vessels now nearly ready for sea, I have already asked the authority of the department to enlist five hundred additional privates, with a proper proportion of non-commissioned officers, under a proviso to the appropriation act approved March 3, 1849. The wants of the service, I find, will absolutely require this additional number of men within a very short period, and I earnestly invoke the early attention of the department to the subject, that we may enlist the men and have them immediately prepared for service.

I am, sir, very respectfully, your obedient servant,

JOHN HARRIS,
Colonel Commandant.

Hon. GIDEON WELLES,
Secretary of the Navy.

REPORT

OF

THE POSTMASTER GENERAL.

Post Office Department,
December 2, 1861.

Sir: Respecting the operations and condition of this department, during the past fiscal year, ending June 30, 1861, I have the honor to report as follows:

APPOINTMENT OFFICE.

The operations of the appointment office for the year ending June 30, 1861, show the following result:

The whole number of post offices in operation on the 30th June, 1860, was 28,498.

The whole number on the 30th June, 1861, was 28,586.

The net increase of post offices during the year ending the 30th June, 1861, is 88.

The total number of post offices at which appointments are made by the President of the United States, on the 30th June, 1861, was 434.

The table (No. 1) annexed to this report shows the number of each class of offices in the several States and Territories of the Union.

The whole number of cases acted upon during the last official year, including the appointments ordered by the President of the United States, was 10,638. The whole number of appointments made by the department during that year for all causes was 9,235. The number of appointments ordered by the President during the same period was 337. The classification of these changes by States will appear in the table (No. 2,) and a summary of them in the table (No. 3,) annexed to this report.

The whole number of post offices in operation in the United States on the 1st day of December, 1861, excluding those discontinued by special order, and including those suspended by the general orders of May and June last, was 28,620.

SPECIAL AGENTS, ROUTE AGENTS, AND LOCAL AGENTS.

The number of special agents in the employment of the department on the 30th of June last was sixteen. The extraordinary condition of the country and the exigencies of the service in certain States rendered it necessary to increase this number, up to the present time, to twenty.

During the last fiscal year the number of route agents in the service was four hundred and seventy-four, at an annual cost of $372,240.

The number of local agents was forty, at an annual cost of $25,479.

At the close of the year, on the 30th of June last, the number of route agents was reduced to three hundred and ninety-two, at a cost of $294,460.

The number of local agents was reduced to thirty-five, at a cost of $19,719.

These agents are paid salaries generally ranging from four to eight hundred dollars per annum, and from the large proportion of railroad transportation have become an important and indispensable branch of the service in distributing and despatching the mails. The special agents are the eyes and hands of the department, to detect and arrest violators of the law, and to render the mails a safe and rapid means of communication. In their selection I have endeavored to secure the qualities of integrity, sagacity, and efficiency. While the duties of route agents are different, they are always of greater importance and more onerous than is commonly apprehended, and require, to a great degree, the qualities of character above described.

FOREIGN MAIL SERVICE.

The aggregate amount of postage (sea, inland, and foreign) on mails exchanged with the United Kingdom was	$786,274 67
Do do Prussia	266,275 38
Do do France	220,394 31
Do do Hamburg	41,260 95
Do do Bremen	36,943 29
Do do Belgium	10,888 10
Total postages on European mails	1,362,036 70
Being a decrease from the amount reported for the preceding year of	$14,365 55

The sea conveyance of these mails was performed as follows, viz:

By United States mail packets.

Of the New York and Havre Steamship Company	$105,057 58	
Of Vanderbilt's European line	56,894 16	
Of the North Atlantic Steamship Company	41,706 25	
Total		$203,657 99

By foreign steamers employed as United States packets.

Of the Canadian line	$169,803 42	
Of the Liverpool and New York and Philadelphia Steamship Company	131,071 51	
Of the North German Lloyd Company	112,748 18	
Of the New York and Hamburg Steamship Company	65,761 00	
Total		479,384 11

By British contract mail packets.

Of the Cunard line	$650,310 81	
Of the Galway line	28,683 79	
Total		678,994 60
		1,362,036 70

Of this amount $814,444 39 was collected in the United States, and $547,592 31 in the United Kingdom, Prussia, France, Hamburg, Bremen, and Belgium.

Excess of collections in the United States, $266,852 08.

The cost of collecting which, in commissions at United States post offices, at an estimated average of 40 per cent., would amount to $106,740 83.

The number of letters and newspapers exchanged in the mails betwen this country and Europe was as follows:

Letters sent from the United States	3,086,121
Letters received from Europe	3,059,700
Total	6,145,821

Newspapers sent from the United States	2,484,357
Newspapers received from Europe	1,033,633
Total	3,517,990

It appears that the number of letters sent to Europe exceeds the number received from Europe by 26,421.

The excess in the number of papers sent from the United States over those received from Europe is 1,450,724.

The amount of letter postage on mails *sent* to Great Britain was $375,754 36; to Prussia, $141,612 07; to France, $106,469 92; to Hamburg, $27,089 04; to Bremen, $19,713 31; and to Belgium, $5,358 59. *Total sent*, $675,997 29.

On mails *received*, from Great Britain, $410,520 31; from Prussia, $124,663 31; from France, $113,924 39; from Hamburg, $14,171 91; from Bremen, $17,229 98; and from Belgium, $5,529 51. *Total received*, $686,039 41.

The excess of postage on mails *sent* from the United States to different countries of Europe over that accruing on mails received from the same countries was as follows:

Prussia	$16,948 76
Hamburg	12,917 13
Bremen	2,483 33
Total	32,349 22

The excess of postages accruing on mails *received* over those *sent* was as follows:

Great Britain	$34,765 95
France	7,454 47
Belgium	170 92
Total	42,391 34

The weight of *closed letter* mails was as follows: Prussian closed mails *received*, 133,774½ ounces; *sent*, 149,572½ ounces. Total, 283,347 ounces. British closed mails for Canada, 42,058½ ounces; Canada closed mails for Great Britain, 25,000½ ounces. Total, 67,059 ounces. British and California closed mails *received*, 24,328½ ounces; *sent*, 6,412¾ ounces. Total, 30,741¼ ounces. British closed mails for Havana, 8,922½ ounces. British closed mails for Mexico, 824½ ounces.

The amount paid Great Britain for the sea and territorial transit of United States and Prussian closed mails through the United Kingdom, was $121,408 55½; and the amount received from Great Britain, for the sea and territorial transit of British closed mails through the United States, was $38,322 53½.

Balance due Great Britain, on adjustment of accounts, for the year ending June 30, 1861	$149,935 24½
Balance due to France, (first, second, and third quarters, 1860)	24,782 13
Balance due to Prussia, for the year ending June 30, 1860	41,252 47
Balance due to Bremen	18,073 13½

Balance due to Hamburg	$15,749 63¾
Balance due the United States, on adjustment of accounts with Belgium, for the first, second, third, and fourth quarters of 1860, and first quarter of 1861	5,159 71

The amounts paid to the different lines of transatlantic steamships employed by this department, for service performed during the year, under the provisions of the existing law, which limits the compensation to the sea and inland postages on the mails transported, if the conveyance is by an American steamer, and to sea postage only, if by a foreign steamer, will appear by the table (No 4) annexed to this report. The total cost of this service was $392,887 63. Of this amount, $157,174 09 was earned by American steamers, performing 23 round trips, at the sea and United States inland postages, and $235,713 54 by foreign steamers, performing 86 round trips, at the sea postage only.

The aggregate amount of postages on the mails exchanged between the United States and the British North American provinces during the year was $186,900 50; of which $96,304 07 was collected in this country, and $90,596 43 in the British provinces.

The United States postages on the West India mails was $59,544 48; all of which has been paid to the different lines of American steamships conveying the mails to and from Havana, Matanzas, and St. Thomas, respectively.

The United States postages on mails forwarded to, and received from Vera Cruz, Mexico, amounted to $4,370 08, which has been, in like manner, paid to the steamers and sailing vessels performing the sea transportation between New Orleans and Vera Cruz.

The United States postages on the correspondence forwarded to and received from Central and South America, and Acapulco, (Mexico,) by the California line of steamers, *via* Panama, during the year, amounted to $12,100 35. The entire California mail service was transferred from the Isthmus to the overland route on the 1st of July last; but the Isthmus, Central and South American mails are still conveyed by the California line of steamers, under the existing law, which limits the compensation to the United States postages on the mails transported, Cornelius Vanderbilt, esq., the proprietor of the line, having consented "to carry them for the postages until Congress meets, and has the opportunity of making some more permanent provision." It is claimed by him that the postages on these mails fall far short of a fair and proper remuneration for the service performed in their transportation. In view of the importance of keeping up a direct mail communication with the Isthmus of Panama, and the countries on the Pacific coast of Central and South America, I respectfully recommend the subject to the early consideration of Congress.

Additional articles to the United States and French postal convention of the 2d March, 1857, have been mutually agreed upon, establishing new exchanging offices, on the side of the United States, at Portland, Detroit, and Chicago, respectively; and on the side of

France, at Paris; and providing for an exchange of mails by the Canadian mail packets plying between Liverpool and Portland, or between Liverpool and River du Loup; a copy of these articles accompanies this report, (No. 5.) Additional articles to the postal convention with Prussia, of the same character, have also been agreed upon with the general post office at Berlin, establishing, on the part of the United States, new offices of exchange at Portland, Detroit, and Chicago, respectively; to exchange closed mails with Aachen, (Aix-la-Chapelle,) through England, by means of the Canadian line of mail packets, a copy of which is annexed to this report, (No. 6.) These arrangements have greatly expedited the transmission of European correspondence to and from the western States, and give entire satisfaction to that portion of the country.

I have had the satisfaction of arranging the terms of a postal convention with Mexico, which was concluded with the Mexican minister on the 31st of July last, subject to ratification, within six months from that date, by the President of the United States by and with the advice and consent of the Senate, and by the President of the republic of Mexico with the approval of the Mexican congress. This convention was approved by the Senate of the United States on the 6th of August last; but no official information has yet been received of the action of Mexico thereupon. Its principal provisions are:

1st. The establishment of direct mail steamship service between New York and Vera Cruz, either direct or *via* Havana, the expense of which is to be borne equally by the respective post departments of the two countries.

2d. A uniform rate of postage between the two countries of 25 cents for a single letter under half an ounce in weight, and an additional charge of 25 cents for each additional fraction of half an ounce; pre-payment of which is obligatory and each country to retain all the postage it collects, which dispenses entirely with any postage accounts between the two countries.

3d. With respect to printed matter of every kind, each country is to levy and collect its own postage only at the established domestic rates, and the despatching country is to charge and collect, in addition to its regular domestic inland rate, a sea rate of one cent on each newspaper, and one cent per ounce on pamphlets and other kinds of printed matter.

4th. Each country grants to the other the territorial transit of closed mail bags through its territories, free from all duties, tax, detention, or examination; the means of transporting such bags to be furnished, and the cost thereof to be paid, by the country to which they may respectively belong; and the carriages, cattle, and men, exclusively employed in the service, to be free from arrest, charges, or molestation of any kind whatever, except for some flagrant violation of the laws of the country through which the closed bags are conveyed.

If this convention should be ratified by Mexico, special legislation will be necessary to provide for the portion of the expenses to be paid by this department in maintaining a regular line of mail packets between New York and Vera Cruz; as the provisions of the existing laws limit the compensation for sea service to the postages, which will be wholly inadequate to sustain such a line of packets.

A special appropriation from the treasury will be required to enable the Postmaster General to carry this convention into operation. It is not only important as a postal arrangement, in view of the present interruption of mail communication *via* New Orleans, but it is also regarded as a measure of great political and commercial importance to the respective countries.

Propositions have been submitted for postal arrangements with the governments of Costa Rica and Guatemala, respectively, which are now under consideration; and the department has other arrangements in contemplation for improvements in our postal intercourse with foreign countries by the reduction of rates of postage and increased certainty and efficiency in the transportation of the mails.

The negotiations with the British office for a reduction of postage, which have been pending since 1857, were unsuccessful, chiefly, as I understand it, because of the difference of the offices as to whether the steamers employed should receive a greater or less proportion of the postage remaining, after deducting the United States inland rate of three cents. This point did not seem to me to be of sufficient significance to be allowed to defeat a measure of so much importance to the commerce of both countries as the reduction of 50 per cent. of the rate of postage. Although fully concurring with my predecessors that the basis proposed by this department was the more just as it recognized and was founded upon the inland rates established by the laws of the two countries, I have, on a review of the whole subject, concluded to accept the division of rates as proposed, which grants to the United Kingdom the same rate of inland postage, rather than longer delay an arrangement so desirable as that sought to be attained by the proposed reduction of the international letter postage from 24 to 12 cents the single rate. I have, therefore, formally accepted the basis for international letters as originally proposed by the British office on the 13th of February, 1857, that the benefit of the reduction may accrue to the written correspondence between the two countries as early as practicable. The other propositions relating to printed matter and territorial transit charges are held for further consideration and arrangement as soon as the respective departments find it practicable to give them attention. I trust that a review of these subjects by the respective postal administrations may result in further advantages to the people engaged in this intercourse.

MEXICAN MAILS ON THE PACIFIC COAST.

I commend to the consideration of Congress the propriety of an appropriation to sustain a reliable mail communication on the coast between San Francisco and the several ports of the Mexican republic on the Pacific.

CONTRACT OFFICE—TRANSPORTATION STATISTICS.

In consequence of the defection of the insurrectionary States, and the termination of the mail service in those States on the 31st of May last, under the act of Congress approved February 28, 1861, (with the exception of service in Western Virginia,) it becomes necessary to present the transportation statistics in two divisions. These are shown in tables A and B attached to this report.

Table A exhibits the service as it stood on the 30th of June last in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, Western Virginia, Michigan, Indiana, Illinois, Wisconsin, Iowa, Missouri, Minnesota, Kentucky, Tennessee, California, Oregon, and Kansas, and the Territories of New Mexico, Utah, Nebraska, and Washington, at which time there were in operation in those States and Territories 6,340 mail-routes, the number of contractors being 5,644. The length of these routes was 140,399 miles, and the mode of service divided as follows, viz:

Railroad	22,018
Steamboat	5,339
Coach	30,733
Inferior	82,309

The annual transportation of mails was 54,455,454 miles, costing $5,309,454, divided as follows, viz:

Railroad	23,116,823	miles, at	$2,543,709,	about	11	cents	a mile.
Steamboat	1,830,016	"	290,559,	"	15$\frac{7}{8}$	"	"
Coach	10,655,783	"	1,171,295,	"	11	"	"
Inferior modes,	18,852,832	"	1,303,891,	"	7	"	"

The number of route agents in the service was 392, at a compensation of	$294,460 00
The number of local agents was 35, costing	19,719 00
The number of mail messengers was 1,532, costing	188,936 89
The number of railroad baggage masters in charge of the express mails was 48, costing	5,760 00
	508,875 89
This sum, added to the cost of service in operation on the 30th of June	5,309,508 00
Makes the total on the 30th of June last	5,818,383 89

The lettings of new contracts for the term commencing July 1, 1861, and ending June 30, 1865, embrace the routes in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York, and the following shows the service under those lettings for the first quarter of the contract year ended 30th of September last:

Railroad	6,546 miles,	7,553,070 miles annual transportation,	$753,814 cost
Steamboat	463 "	283,362 " " "	16,463 "
With "celerity, certainty, and security"	16,533 "	5,964,562 " " "	263,730 "
	23,542	13,800,994	1,034,007

Compared with the service on the 30th June last the length of routes is diminished fifty-seven miles; but from the increase of trips, especially upon railroads, the annual transportation is increased 447,178 miles, and the cost, $24,154.

Table B shows the length of routes in the States of Virginia, (exclusive of Western Virginia,) North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, and Texas, on the 31st of May last, to have been 96,015 miles, divided as follows :

Railroad	6,886
Steamboat	7,716
Coach	12,711
Inferior modes	68,702

The total annual transportation was 24,122,711 miles, as follows :

Railroad	5,701,093 miles, at	$978,910	
Steamboat	1,721,850 "	574,699	
Coach	4,769,740 "	824,393	
Inferior modes	11,930,028 "	863,179	
			$3,241,181
To which add 121 route agents, costing		86,400	
7 local agents		3,760	
180 mail messengers		28,115	
			118,275

Making the total cost of the service in those States, discontinued on the 31st of May	3,359,456
To this add the cost of the service in Tennessee as it stood on June 30, 1861	250,232
Also the amount of compensation to route agents at the same date	12,300
Local agents	1,000
Mail messengers	3,739
	26,727

OVERLAND CALIFORNIA MAIL.

By the 9th section of an act of Congress approved March 2, 1861, entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending June 30, 1862," authority is given to the Postmaster General to discontinue the mail service on the southern overland route, (known as the "Butterfield" route,) between St. Louis and Memphis and San Francisco, and to provide for the conveyance, by the same parties, of a six-times-a-week mail by the "central route;" that is, "from some point on the Missouri river, connecting with the east, to Placerville, California." In pursuance of this act, and the acceptance of its terms by the mail company, an order was made on the 12th of March, 1861, to modify the present contract, so as to discontinue service on the southern route, and to provide for the transportation of the entire letter mail six times a week on the central route, to be carried through in twenty days eight months in the year, and in twenty-three days four months in the year, from St. Joseph, Missouri, (or Atchison, Kansas,) to Placerville, and also to convey the entire mail three times a week to Denver City and Salt Lake; the entire letter mail to California to be carried, whatever may be its weight, and in case it should not amount to 600 pounds, then sufficient of other mail to be carried each trip to make up that weight, the residue of all mail matter to be conveyed in thirty-five days, with the privilege of sending it from New York to San Francisco in twenty-five days by sea, and the public documents in thirty-five days; a pony express to be run twice a week until the completion of the overland telegraph, through in ten days eight months, and twelve days four months, in the year, conveying for the government, free of charge, five pounds of mail matter; the compensation for the whole service to be one million of dollars per annum, payable from the general treasury, as provided by the act; the service to commence July 1, 1861, and terminate July 1, 1864. The transfer of stock from the southern to the central route was commenced about the 1st of April, and was completed so that the first mail was started from St. Joseph on the day prescribed by the order, July 1, 1861. While the carriages have, it is believed, departed regularly since that time, the mail service has not been entirely satisfactory to the department. The causes of complaint, however, it is hoped will be removed by the measures now in progress. The route selected is that by Salt Lake City, so that that office has now the advantage of a daily mail, and Denver City is supplied three times a week. The overland telegraph having been completed, the running of the pony express was discontinued October 26, 1861. By the terms of the law the contractors were required to convey only the California letter mail on each trip by the short schedule, and this they were to do whatever might be its weight; but by voluntary agreement they stipulated that in case it should fall short of 600 pounds on any occasion they would take other mails so as to make that weight. As the letter mails are seldom or never equal to

600 pounds in weight, some papers are conveyed in connexion with the letter mails each trip by the short schedule, while others are necessarily delayed. This has occasioned complaint, and complaints have also been made of other delays, and that bags of printed matter have been thrown off *en route* for the admission of passengers and express matter. These charges are denied by the contractors; but while the conditions of the contract, fixed by law, allow a longer time for the transit of some mails than others, complaint and disappointment must of necessity occur.

At the commencement of threatening disturbances in Missouri, in order to secure this great daily route from interruption I ordered the increase of the weekly and tri-weekly service then existing between Omaha and Fort Kearney to daily, and an increase of pay thereon of $14,000 per annum. By that means an alternative and certain daily route between the east and California was obtained through Iowa, by which the overland mails have been transported when they became unsafe on the railroad route in Missouri.

In sending them from Davenport, through the State of Iowa, joining the main route at Fort Kearney, in Kansas, the only inconvenience experienced was a slight delay, no mails being lost so far as known.

NEW YORK AND BOSTON NIGHT MAIL.

This important addition to the facilities for conveying correspondence between these cities, announced in the last annual report as having been commenced as a three months experiment, proved to be so satisfactory and successful that the arrangement was continued with the same companies, viz: those composing the inland line, through Hartford and Springfield, until the 1st of August last, when negotiations with those corporations failing to secure a renewal of their services, the mail was transferred to the "shore line," from New Haven, through New London, Stonington, and Providence, over which line it is now carried with great regularity, and much to the satisfaction of the citizens interested and of the department.

NIGHT MAIL FROM NEW YORK TO WASHINGTON.

This mail leaves New York at 11 in the evening, and arrives at Washington by 9.30 the next morning. Connexions are thus made at New York with railway trains from Montreal, Ogdensburg, Buffalo, &c., arriving at 10.30 p. m., and by a recent change in the hour of departure of the express train at Boston from 3 to 2 p. m., connecting with that train also, so that mails and passengers leaving Boston at 2 p. m. arrive at Washington by 9.30 a. m., or in less than twenty-three hours.

This is about the time occupied by the other lines, but it constitutes the *third* daily direct and unbroken line of travel for mails and passengers from city to city, and at hours causing the least loss of business time.

FINANCE OFFICE.

The details of the financial operations of this department during the fiscal year ending June 30, 1861, are fully exhibited in the accompanying very elaborate and interesting report of the Auditor for this department, from which the following statement is derived:

Revenue and expenditures.

The expenditures of the department in the fiscal year ending June 30, 1861, amounted to $13,606,759 11, viz:

For transportation of inland mails, including payments to route agents, local agents, and mail messengers		$8,406,652 51
For transportation of foreign mails, to wit:		
Between New York, Southampton, and Havre	$266,549 05	
Between New York, Queenstown, and Liverpool	44,733 31	
Between New York, New Orleans, and Havana	4,803 23	
Between New York and Havana	37,597 64	
Between New Orleans and Havana	10,422 27	
Between Portland and Liverpool	76,418 52	
		440,524 02
Between New York and San Francisco	299,239 99	
Mails across the Isthmus of Panama	25,000 00	
Expenses of government mail agents at Panama	1,857 36	
		326,097 35
For compensation to postmasters		2,514,157 14
For clerks in post offices		947,206 31
For ship, steamboat, and way letters		12,007 06
For office furniture for post offices		2,177 55
For advertising		40,752 70
For mail-bags		66,966 61
For blanks		79,859 18
For mail-locks, keys, and office stamps		8,650 14
For mail depredations and special agents		47,837 22
For postage stamps and stamped envelopes		92,772 70
For wrapping paper		50,920 96
For payments to letter-carriers		149,073 62
For repayments for dead letters		9 48
For interest under act of February 15, 1860		4,699 54
For miscellaneous payments		271,446 61
For payments for balances due on British mails		120,507 82
For payments for balances due on French mails		24,440 59
Actual expenditure for 1861		13,606,759 11

The expenditures for the year ending June 30, 1860, were	14,874,772 89
The expenditures for the year ending June 30, 1861, were	13,606,759 11
Decrease in 1861	1,268,013 78

The gross revenue for the year 1861, including receipts from letter-carriers and from foreign postages, amounted to $8,349,296 40, as stated below:

Letter postage	$646,498 14
Registered letters	19,305 66
Stamps sold	6,864,791 43
Newspapers and pamphlets	571,209 28
Fines	20 00
Receipts on account of emoluments	94,563 45
Receipts on account of letter-carriers	149,073 62
Miscellaneous receipts	3,834 82
	8,349,296 40

The balance to the credit of the department, on the books of the Auditor, June 30, 1860		$1,211,860 17
The receipts of the department from all sources during the year 1861		8,349,296 40
Balance on credit accounts closed by suspense		5,902 90
Amount of various appropriations drawn from the treasury during the year, as specifically shown by the Auditor, was		4,645,994 40
Total receipts		14,213,053 87
The whole amount of expenses in the year	$13,606,759 11	
Add amount of accounts closed by bad debts	407 17	
		13,607,166 28
Leaving to the credit of the revenue account		605,887 59

The expenditure for 1861, inclusive of bad debts, and exclusive of credit balance, on accounts closed by suspense, as exhibited		13,601,263 38
Deduct the revenue for 1861	$8,349,296 40	
Add the earnings of this department in carrying free mail matter	700,000 00	
		9,049,296 40
Deficiency		4,551,966 98

The estimated deficiency of means for 1861, as presented in the annual report from this department, December 3, 1859, was	$5,988,424 04
Deduct actual deficiency	4,551,966 98
Excess of estimated deficiency over actual deficiencies	1,436,457 06

The revenue from all sources during the year 1860 amounted to	9,218,067 40
The revenue from all sources during the year 1861 amounted to	9,049,296 40
Decrease of revenue for 1861	168,771 00

Statement of gross and net proceeds from post offices in the loyal and disloyal States for the fiscal years ending June 30, 1860 *and* 1861.

LOYAL STATES.

Year.	Gross proceeds.	Compensation to postmasters and incidental expenses.	Net proceeds.
1860	$6,692,012 25	$3,003,321 69	$3,688,690 56
1861	6,890,097 20	3,088,610 12	3,801,487 08
		Increase in 1861	112,796 52

DISLOYAL STATES.

Year.	Gross proceeds.	Compensation to postmasters and incidental expenses.	Net proceeds.
1860	$1,517,540 55	$696,994 04	$820,546 51
1861	1,241,220 05	563,513 35	677,706 70
		Decrease in 1861	142,839 81

The decrease in 1861 from the net proceeds of 1860 in all the States appears to be $30,043 29.

Statement of the receipts and expenditures of the disloyal States, and amount alleged to be due to contractors; also, the amount actually paid to contractors from July 1, 1860, *to May* 31, 1861.

Total expenditures	$3,699,150 47
Total gross receipts	1,241,220 05
Excess of expenditures over receipts	2,457,930 42

Amount alleged to be due to contractors for transportation	$3,135,637 12
Amount actually paid for transportation	2,323,061 63
Leaving amount alleged to be due and unpaid	812,575 49

The tabular statement of the auditor, marked No. 3, exhibits in detail the receipts from, and the expenditures in, the post offices in all the States during the fiscal year, together with the amount paid, and reported to be due, to contractors for the transportation of the mails.

No. 4 presents a similar exhibit for the disloyal States alone, with a statement of the whole amount of "transportation" accrued therein, which includes not only the amount actually paid, but also the cost of the service known to have been performed, payment for which is withheld, and the additional amount which would be due on the assumption that the postal service was uninterrupted until discontinued by the Postmaster General.

Estimates for 1862.

The estimates of receipts and expenditures for the fiscal year ending June 30, 1862, and of the resulting deficiency for the same year, which were submitted in the last annual report from this department, were based on the existence of postal service throughout the Union.

Should such service remain suspended, during the year, in States where it is now wholly or partially discontinued, the estimated deficiency of $5,210,426 63 would be reduced to $2,747,000, according to the ratio of receipts and expenditures in that section in 1860.

The amount appropriated by the 3d section of the act approved March 2, 1861, to supply deficiencies in the revenue for the year 1862, was $5,391,350 63; and, if the cost of a daily mail on the central route is to be paid out of the resources of this department, there will be an unexpended balance of this appropriation July 1, 1863, of about $1,600,000.

Sections 9 and 11 of the act approved March 2, 1861, (chapter 73,) seemed clearly to authorize this payment out of the treasury for mail service six times a week on the central route to California. But the word "daily," used in the 11th section, in connexion with the appropriation, has induced the adoption of a different construction at the treasury.

Estimate of receipts and expenditures for 1863.

EXPENDITURES.

For transportation of the mails inland	$6,961,000 00
For compensation of postmasters	2,234,000 00
For clerks of post offices	846,000 00
For ship, steamboat, and way letters	12,000 00

For office furniture for post offices	$2,000 00
For advertising	36,000 00
For mail bags	75,000 00
For paper for blanks	50,000 00
For printing blanks	12,000 00
For wrapping paper	45,000 00
For mail locks, keys, and stamps	56,000 00
For mail depredations and special agents	75,000 00
For miscellaneous payments	187,000 00
For postage stamps and stamped envelopes	90,000 00
For payments of balances due to foreign countries	230,000 00
For payments of letter carriers	152,000 00
	11,063,000 00

To the above estimate must be added the cost of transportation of "foreign mails," which was formerly paid out of the appropriation of the 5th section of the act approved June 14, 1858, but which the Secretary of the Treasury, on the 6th of August, 1861, decided not to be payable therefrom, since the passage of the act of June 15, 1860.

Estimate for the transportation of foreign mails for 1863.

Between New York, Southampton, and other European ports	285,000 00
Between New York, Queenstown, and Liverpool	50,000 00
Between Portland and Liverpool, and Quebec and Liverpool	80,000 00
Between United States, Havana, Cuba, and other West India ports	50,000 00
	11,528,000 00

The estimate for the transportation of the mails inland does not include the sum of $1,000,000, which it was presumed that Congress intended to appropriate from the treasury by the 9th section of the act of March 2, 1861, for a daily mail on the central route; but by a decision of the First Comptroller of the Treasury, dated October 31, 1861, it is declared that this sum was not thus appropriated.

Unless, therefore, a specific appropriation for this object be made by Congress, the above estimates will be subject to a further addition of	1,000,000 00
Expenditures for 1863	12,528,000 00

MEANS FOR 1863.

The gross revenue for the year 1863, including foreign postages, fees paid in by letter carriers, and miscellaneous receipts, is estimated at an increase of four per cent. on the revenues of 1861, making..	$8,683,000 00
Estimated deficiency of revenue, compared with estimated expenditure	3,845,000 00
Deduct appropriations made by the acts of March 3, 1847, and March 3, 1851, for carrying free mail matter	700,000 00
Which would make the whole amount estimated to be required from the treasury for 1863	3,145,000 00
Exclusive of the earnings of the department for carrying free matter under the acts of March 3, 1847, and March 3, 1851	700,000 00

The estimate of the total expenditures for 1863 is somewhat less than those for previous years heretofore submitted. This difference arises from the fact that only partial estimates are made for the cost of postal service in States where it is now suspended.

It is assumed that the restoration of such service in these States will take place gradually, and that in the process many expensive mail routes, from which but little revenue has been derived, may be curtailed or discontinued.

Most of the estimates for expenditures in the disloyal States for 1863 are calculated at a fixed proportion of the amount expended in that section of the country under the various heads of appropriation while its relations to this department were undisturbed, which amount was about one quarter of the expenditure for the whole Union.

The estimates for blanks and wrapping paper are nearly the same as in former years, as in case of the resumption of postal service in the disloyal States a large quantity of blanks, wrapping paper, and other supplies furnished by blank agents would undoubtedly be required, as the post offices within the limits of these States would be entirely without such supplies.

For reasons stated below, there has been no diminution in the estimates for the cost of mail bags, locks and keys, for the year 1863.

Since the discontinuance of the postal service in eleven States of the Union, the expenditure for mail bags has been greater than during any corresponding period of the preceding year. The causes are as follows :

1st. The abstraction in those States, immediately preceding open rebellion, of considerable quantities of mail bags from the general supply in circulation on the principal routes between the north and the south, by withholding, in disregard of an established rule, the return of extra bags, which, by the course and exchanges of mail matter, always accumulate in the southern States, and by exchanging, and sending back with the mails old bags nearly unserviceable for new ones received.

2d. The vast increase of mailable matter incident to the war.

3d. The difficulty (arising from the rebellion and the exigencies of war) in procuring mail bags, made as heretofore, of cotton duck or canvas, in sufficient quantities, thereby rendering necessary the purchase to a great extent of such as are made of leather.

During the fiscal year ending 30th June, 1861, there were purchased, under contract, and put into the service 7,787 locked pouches and bags, (used for the transmission of letters,) which cost $26,697 51, being about 37 per cent. more in number, and about 75 per cent. more in cost, than the locked pouches and bags procured during the year next preceding; also, 22,964 canvas sacks, (used for the transmission of newspapers and other printed matter,) which cost $20,305 78, being slightly more in number, and about 5½ per cent. less in cost, than the canvas sacks procured during the same period.

The amount of $30,000, for mail locks and keys, would be a sufficient estimate for the wants of the mail service within its present limits only, including the cost of an entirely new issue of mail locks and keys, rendered indispensable for the safety of the mails, in consequence of the rebellion existing within a large portion of the former limits of the service, where the locks and keys of this department are still in use.

After due advertisement, I have made a contract for new locks and keys, which in respect to the quality and price of the articles to be furnished is more favorable than any hitherto made by this department.

Assuming the re-establishment of the mail service throughout the States now under insurrectionary control, the additional supply requisite to cover that extent of service will, it is believed, cost $20,000 more, making the total sum requisite in that case $50,000, as estimated.

Although the revenue of 1861, as compared with that of 1860, shows a diminution of nearly two per cent., yet it is anticipated that the revenue of 1863 will exhibit an increase of four per cent. on that of 1861, or nearly two per cent. on that of 1860. This estimate is justified by a comparison between the proceeds of the larger offices during the quarter ending September 30, 1860, and the corresponding quarter of the present year, which shows a small excess of revenue during the latter period.

In the appendix will be found a detailed statement of the annual revenues and expenditures from 1853 to 1861, inclusive, together with estimates for 1862 and 1863.

POST OFFICES.

The number of post offices in operation during the year was 28,586, and the number of quarterly returns received therefrom was 105,066.

The number of post offices in disloyal States which have made no returns for the third quarter of 1861 is 8,535. In the State of Virginia 167 offices continue to send in their quarterly accounts regularly.

DRAFTS AND WARRANTS.

The whole number of drafts and warrants issued during the year in payment of balances reported by the Auditor to be due mail contractors and other creditors of the department, was 21,977. The warrants were drawn on eighteen United States depositories, and the drafts on thirty post office depositories and postmasters at draft offices, with whom it is necessary for this purpose to keep summary cash accounts, as well as with 987 depositing offices.

At the depositories and draft offices $2,796,011 76, which is more than three-fifths of the net revenue of the department, was concentrated and disbursed during the year. The remainder was collected by mail contractors by means of orders on postmasters at "collection offices," prepared and sent out by the Auditor.

From the 11th of July to the 13th of September, thirty-one hundred and seventy-seven treasury notes, bearing six per cent. interest, and payable two years after date, were registered and paid to contractors and others. The aggregate amount of these notes was $1,016,800.

POSTAGE STAMPS AND STAMPED ENVELOPES.

The number of each denomination of postage stamps issued to postmasters during each of the four quarters of the year ending June 30, 1861, was as follows, viz:

Quarter ending—	1-cent.	3-cent.	5-cent.	10-cent.	12-cent.	24-cent.	30-cent.	90-cent.
September 30, 1860	12,756,100	36,512,700	146,920	922,150	384,800	170,000	103,860	11,960
December 31, 1860	14,778,085	39,171,800	178,640	1,154,910	243,825	201,150	105,960	6,200
March 31, 1861	14,174,768	41,922,956	223,000	852,900	232,400	147,325	65,040	4,110
June 30, 1861	12,184,839	33,615,600	128,640	995,730	192,875	132,125	65,140	2,010
Total	53,893,792	151,223,056	677,200	3,925,690	1,053,900	650,600	340,000	24,280

The number of stamped envelopes issued during the above period was as follows, viz:

Quarter ending—	3 cents, note size.	3 cents, letter size.	10 cents, letter size.	6 cents, official.	1 cent, letter size.	4 cents, letter size.	3 cents, note size, ruled.	3 cents, letter size, ruled.	1 cent, letter size, ruled.	4 cents, letter size, ruled.
September 30, 1860	189,250	5,777,950	27,750	10,250	....	....	28,450	668,750	....	....
December 31, 1860	146,050	3,763,200	15,350	14,650	594,500	35,000	40,350	1,657,750	412,000	35,000
March 31, 1861	82,150	3,657,600	50,150	5,800	536,250	....	66,350	2,541,150	627,750	....
June 30, 1861	53,900	2,456,700	38,500	9,750	403,500	....	31,800	1,778,700	271,000	....
Total	471,350	15,655,450	131,750	40,450	1,534,250	35,000	166,950	6,646,350	1,310,750	35,000

Whole number stamps, 211,788,518; value	$5,908,522 60
Whole number stamped envelopes, 26,027,300; value	781,711 13
Total amount for 1861	6,690,233 73
Total value of postage stamps and stamped envelopes issued during the year ended June 30, 1860	6,870,316 19
Decrease during 1861	180,082 46

The aggregate value of the envelopes included in the above statement is $781,711 13; but this sum does not give a correct idea of the real amount of postage represented, inasmuch as it includes the cost of the envelopes as well as the value of the stamps.

The postage represented is	$734,354 50
Leaving as the cost of the envelopes and of their distribution	47,356 63

The above decrease in the issues of postage stamps and stamped envelopes is contrary to all former experience, and is to be attributed to the then anticipated interruption of mail communication with the disloyal portion of the country, as the amount of each distributed continued steadily to increase up to the commencement of the second quarter of 1861, at which time orders from postmasters in that section were wholly or partially suspended. It was not deemed advisable to fill orders from postmasters in States which claimed to have "seceded," without first ascertaining their disposition to hold themselves personally responsible for such amounts as might be sent them. With this view, a circular was prepared, about twelve hundred copies of which were addressed to different postmasters upon the receipt of their orders. Nine hundred replies were received, all but twenty of which avowed the personal responsibility of the writers for all revenues accruing at their respective offices, and their regret at the action of their State authorities. Stamps were accordingly sent them until June 1, when it appeared that the postal service could no longer be safely continued. The balance of stamps and stamped envelopes remaining unaccounted for in the hands of postmasters in disloyal States on the 1st of October, amounted to $207,000, without reference to commissions and allowances which may be placed to their credit in the future settlement of their accounts.

The total amount of postage stamps and stamped envelopes sold during the year was	$6,864,791 43
Amount used in prepayment of postage and cancelled was	6,459,622 05
Leaving afloat and in the possession of purchasers, and being used to some extent as currency	405,169 38

The contract for the manufacture of postage stamps having expired on the 10th of June, 1861, a new one was entered into with the

National Bank Note Company, of New York, upon terms very advantageous to the department, from which there will result an annual saving of more than thirty per cent. in the cost of the stamps.

In order to prevent the fraudulent use of the large quantity of stamps remaining unaccounted for in the hands of postmasters in the disloyal States, it was deemed advisable to change the design and the color of those manufactured under the new contract, and also to modify the stamp upon the stamped envelopes, and to substitute, as soon as possible, the new for the old issue. It was the design of the department that the distribution of the new stamps and envelopes should commence on the first of August, but, from unavoidable delays, that of the latter did not take place until the 15th of that month.

The number of postage stamps of the new style issued up to the 9th of November was 77,117,520, and the number of new stamped envelopes 8,939,650. All post offices in the loyal States, with the exception of certain offices in Kentucky and Missouri, have been supplied therewith. Those of the old issue have been exchanged and superseded. The old stamps on hand, and such as were received by exchange, at the larger offices, have been to a great extent counted and destroyed, and those at the smaller offices returned to the department. It is proper to state that, in anticipation of the substitution of the new stamps and envelopes for the old issue, but limited supplies of the latter were sent to postmasters during June and July, so that the amount thereof remaining in their hands was comparatively small.

The additional expense incurred by the change is very inconsiderable, in view of the greatly diminished cost of the new stamps as compared with that of the old, while the prevention thereby of the use of stamps unaccounted for in the hands of disloyal postmasters saves the department from severe loss. Although the enumeration and destruction of the old stamps and envelopes is not yet completed, there is ample evidence that few received in exchange were sent from disloyal States.

Envelopes of official size, at higher rates of postage, viz: 12 cents, 24 cents, and 40 cents, have been prepared during the past year, for the purpose of mailing large packages and for foreign correspondence. The aggregate number of these issued was 20,100. Of the patent ruled envelopes, nearly 2,500,000 have been distributed to postmasters, together with 79,150 letter sheets and envelopes combined, and 186,700 newspaper wrappers. The demand for the latter has of late rapidly increased.

It is believed that a change of the present system of issuing postage stamps and envelopes would prove to be highly advantageous. Instead of being delivered, as at present, on orders from postmasters, and charged to their account, the latter might be required to purchase a sufficient quantity to meet the wants of their respective offices. This would simplify the accounts of the department, expedite the collection of its revenues, obviate losses from bad debts, and supersede the necessity of litigation for their recovery. It is, therefore, respectfully recommended to the consideration of Congress.

DEAD LETTERS.

The whole number of ordinary dead letters received and examined during the year was about 2,550,000.

The number of these letters containing money which were registered and sent out during the year ending June 30, 1861, was 10,580.

The number containing deeds, bills of exchange, drafts, and other articles of value, was 10,235.

For details, see Tables (Nos. 7 and 8) hereto appended.

There have been received and examined 125,000 letters which could not be forwarded to their destination, because of unpaid postage or carriers' fees, or because misdirected, &c. Of these there were sent out 53,934.

From the 1st of June to the 1st of November there were received at the dead letter office, in consequence of the suspension of postal communication, 76,769 letters, originating in loyal States, and addressed to residents of disloyal States. Of this number, there were returned to the writers 26,711.

During the same period 34,792 foreign letters, destined for that section, were returned as "dead," and 2,246 of them were delivered in the loyal States to authorized agents of the parties addressed, making the whole number sent out 103,886, which is considerably more than three times the quantity sent out during the previous year, when the number was unusually large.

In addition to the above, about 40,000 letters from disloyal States, addressed to parties in the loyal States, were sent to the dead letter office after the suspension of the postal service, a large proportion of which were forwarded to their destination. The last three classes are not embraced in the above enumeration of ordinary dead letters.

FOREIGN LETTERS.

The number of dead letters returned unopened to foreign countries during the fiscal year was 111,147; divided as follows:

Returned to England	58,069
Returned to France	10,088
Returned to Prussia	11,584
Returned to Hamburg	2,813
Returned to Bremen	3,302
Returned to Belgium	113
Returned to Canada	22,337
Returned to Nova Scotia	1,125
Returned to New Brunswick	1,533
Returned to Prince Edward's Island	183
Total	111,147

Which added to the number of domestic letters (103,886) sent out as above, gives the whole number sent out from the dead letter office for the year 215,033.

During the same period the sum of $53,565 90 in money, and bills of exchange, drafts, checks, and negotiable notes to the amount of $2,436,546, found in dead letters, were returned to the owners or writers thereof.

In consequence of the great accumulation, after the suspension of mail service, of letters originating in or addressed to the disloyal States, the attention of the clerical force of the dead letter office was necessarily diverted from its accustomed duties, hence the causes of the non-delivery of valuable letters were not ascertained to so great an extent as was intended, or as could be wished.

The result of successful investigation in 7,560 cases, however, confirms the past experience of the department that the failure of a letter to reach its destination is, in the vast majority of instances, the fault alone of the writer or sender. Out of the above 7,560 valuable dead letters, 3,095 were directed to the wrong office; 467 were imperfectly addressed; 612 were directed to transient persons; 257 to parties who had changed their residences; 821 were addressed to fictitious persons or firms; 83 were uncalled for; 10 without any directions; 2,136 were not mailed for want of postage stamps; 79 were missent; and for the failure of postmasters to deliver 133 no satisfactory reason was assigned. The department, therefore, can justly be held responsible for the non-delivery of but 212 of these letters.

In the examination of 110,457 letters not mailed for want of postage or carriers' fees, or because misdirected, &c., (of which number 60,231 were contributed by the offices at the twenty-four largest cities in the country,) it was found that 82,582 were detained for non-payment of postage, 6,119 for want of carrier's fee, 5,947 were misdirected, and 366 were destitute of address or direction.

Of the above letters 1,339 contained money, amounting to $7,372 50, and 1,353 checks, drafts, or negotiable paper, the value of which was $259,716 59. Letters of the last class were generally from mercantile firms or from bankers, by whom they were carelessly mailed either without the proper address or without a postage stamp.

It is worthy of remark that out of 76,769 letters, before alluded to, originating in the loyal States, and addressed to residents of disloyal States, 40,000 could not be returned, either because the signature of the writer was incomplete, or because the letter contained no clue to his residence. The experience of the department shows that a large proportion of domestic letters written by educated persons, and particularly by women, are deficient in one or both of these respects.

The 6th section of the act approved February 27, 1861, authorizes the application of the unclaimed money from dead letters to promote the efficiency of the dead letter office, by providing for a more careful examination of letters, and the return of a larger number to the writers, with or without valuable enclosures.

By virtue of the authority thus granted, from the 10th of April to the 10th of October the average number of clerks employed per month was nine, and the average compensation paid each per month was $68 52⅓, which, together with incidental expenses, ($21 38,) amounted to $4,544 11, leaving a balance to the credit of the dead-letter fund on the 31st of October of $755 89.

As stated above, the suspension of postal communication with the disloyal States produced an unprecedented accumulation of dead letters, which rendered the employment of these clerks in the examination, registration, and delivery of such letters an absolute necessity. It is, however, the earnest desire of the department that the dead-letter fund should be exclusively devoted to increasing the number of ordinary dead letters returned to the writers, and to insuring the utmost promptness in their delivery.

Notwithstanding the manifest advantages of the law of February 27, 1861, requiring more frequent returns of dead letters to the department, the majority of postmasters, particularly those at the smaller offices, fail to comply with the necessary regulations under that law, although duly notified thereof. In order to carry out the salutary reform contemplated by Congress, every postmaster who is delinquent in this respect is reminded of what the law requires, and his immediate compliance therewith requested. This correspondence, and the consequent return of a larger amount of letters to the owners, involves much additional labor, tending to increase the efficiency of the dead letter office.

According to the experience of the last year, it would appear that the proportion of the dead letters sent out which would be received by the writers is much larger than was formerly estimated by this department. Out of 53,934 dead letters held for postage, misdirected, &c., which, though not containing valuable enclosures, were sent out for delivery, but 4,466, less than one-twelfth, were not delivered, because refused, or for other causes, and were again returned to the dead letter office. It is true that with dead letters of all kinds the proportion returned a second time to the department would be somewhat larger; but if it were increased to one-fourth of all dead letters sent out, the return to the writers of all such correspondence, susceptible of restoration, would involve no additional expense to the department, while it would be generally gratifying and often extremely useful to the public. About 2,500,000 dead letters are annually received, and, excluding letters without the signature or address of the writers, and those containing circulars and manifestly worthless matter, it is estimated that 1,500,000 could be returned to the post office of the writer. If one-fourth of these were refused or uncalled for, the department, under existing law, would receive from postages on the remaining 1,125,000 the sum of $33,750.

The number of clerks required to examine and send out 1,500,000 letters would not exceed twenty-five, and their compensation, at $800 per annum, which is deemed sufficient for the nature of the service to be performed, would amount to $20,000, leaving a net revenue to the department of $13,750.

In view of the encouraging results already attained, by the partial use of the unclaimed dead letter money for this purpose, I would respectfully recommend that authority be granted by Congress to employ the proposed clerks, and that $20,000 be appropriated therefor, in addition to the ordinary appropriation for officers and clerks in this department.

I would also suggest that valuable dead letters, when returned to their owners should be charged with treble the ordinary rate of postage, comprising one rate for return transportation to the dead letter office, one rate for registration there, and one rate for return transportation to the writers or owners. It has already been shown that the failure of such letters to reach their destination is rarely attributable to the department, while in their restoration much time and labor are expended, for which the ordinary letter postage is scarcely a sufficient recompense.

For the same reasons unregistered letters thus returned might be charged with double rates.

PRE-PAYMENT OF POSTAGE.

My predecessor called attention to the fact that large numbers of unpaid letters continued to be posted, notwithstanding the act of March 3, 1855, making pre-payment compulsory, and stated that the practice of notifying the parties addressed that such letters would be forwarded on receipt of postage, had been abandoned, because it appeared, after trial of more than five years, that the evil continued unabated, showing a determination on the part of many correspondents using the mails to evade the postal laws. By immediately sending this class of letters to the dead letter office, it was expected that a proper compliance with the law would be enforced, but so far from this being the case, the number after one year's trial exceeds ten thousand each month, and the attention they require imposes considerable additional labor and expense on this department.

The practical result of this decision of my predecessor is so different from what was anticipated, that I have been induced to revive the former regulation, requiring postmasters to notify persons to whom unpaid letters are directed, that they will be forwarded on receipt of the postage enclosed in a *paid* letter to the postmaster. Thus the number returned to the dead letter office will be reduced at least two-thirds.

The detailed statement of the expenditures, under the head of miscellaneous payments, required by the act approved June 15, 1860, will be found appended to this report, as furnished by the Auditor's office.

MISCELLANEOUS.

APPROPRIATIONS FOR CALIFORNIA OVERLAND MAIL.

I have in a previous part of this report alluded to the refusal at the treasury to pay the appropriation for the overland mail service to California. It seems to me so evidently to have been the purpose of Congress to require the payment of the amount stipulated from the treasury, under the 9th and 11th sections of the act, that I again call the attention of Congress to the subject for such further legislation as may be required. It certainly cannot be supposed that a contract of that magnitude could be required by postal interests alone. The general interests of the country required it, and the compensation should therefore be made by a general appropriation from the treasury, as this department presumes to have been the intention of the law.

THE POST OFFICE BUILDING AT NEW YORK.

Owing to the extraordinary demands upon the treasury for the maintenance of the higher interests of the country, I have not deemed it prudent to proceed, at present, with the erection of a new building for the New York post office.

The balance of the appropriation heretofore made for that purpose, after paying for the site purchased, remains therefore unexpended.

THE POST OFFICE BUILDING AT PHILADELPHIA.

In view of the pressing need of improvements in the post office accommodations at Philadelphia, and in connexion with the structure designed for both post office and United States court rooms, the commission invited plans and proposals for adapting to these uses the building which has been already purchased. This has resulted in the offer of a plan which appears to me satisfactory; and which, in my judgment, will answer the purposes proposed for many years to come, and will also meet the demands of good taste and convenience, at a cost not exceeding $30,000, for which the existing appropriation is sufficient. The question of its acceptance is now pending before my associates, as provided by law of the last Congress.

BOSTON POST OFFICE.

I have made arrangements by which the post office in the city of Boston has been restored to its former site, on State street, without additional expense to the department. It was done the more cheerfully because it enabled me to signify my reprobation of the conduct of a public officer using the influence of his official position to promote his private ends, in disregard of the public interest. This order, it is also believed, was in accordance with the wishes of a decided majority of the business interests affected by it. In connexion therewith I was able to terminate the claim on the fund of $12,600, formerly deposited by certain parties, for the return of which, after deduction of the expenses of one removal each way, Congress passed an act approved March 2, 1861. The sum of $9,584 84, was required to cover the double rent accrued during the period when the first removal was suspended. In my judgment this was to be deducted, as it was expressly understood it should be at the time of the contract of indemnity. The settlement was effected on this basis, and the sum of $3,015 16 was returned under that provision of law, and the account closed.

PROPOSED AMENDMENTS OF THE LAW.

By the act of Congress, approved July 2, 1836, (5 Stat., p. 84, sec. 33,) it is provided that the appointment of postmasters at offices where the commissions allowed to postmasters amounted to one thousand dollars or upwards in any one year, terminating on the 30th day of June, should be made by the President, with the advice and consent of the Senate. In several cases offices which have once earned that amount in one year have subsequently fallen below it, and become permanently reduced in value. Doubts have existed whether, by the letter of the law referred to, the appointment nevertheless did not continue to be presidential. It is recommended that this doubt be removed by an amendment to the law providing that the appointment shall cease to be presidential whenever such commissions shall have been ascertained to be less than the sum of one thousand dollars for the fiscal year next preceding an appointment.

THE POSTMASTERS FRANKING PRIVILEGE.

The franking privilege is in this country greatly extended. In the United Kingdom, the only other country in which very low rates of inland postage prevail, it appears to be limited to addresses and petitions to the Queen, and petitions to either house of Parliament. All other mailable matter is chargeable with postage. Hence, in part, the success there of the low postage system in point of revenue.

In this country, however, it is extended to cover a large class of postmasters, probably the majority.

By the first section of the act approved March 2, 1847, each deputy postmaster, whose compensation for the last preceding year did not exceed two hundred dollars, may send through the mails all letters written by himself, and receive all addressed to himself on his private business, free of postage, the weight not exceeding a half ounce.

This privilege is greatly abused, and ought to be revoked. If other compensation is due to a postmaster beyond his commissions, it should be in the discretion of the Postmaster General, not exceeding ——— per cent. additional to that now allowed, that it may go to the intelligent and faithful, not to the shrewd and unscrupulous, as it chiefly does under the existing law. Privileges resting in the conscience of the recipient, as to their extent, are dangerous.

I recommend the repeal of this clause, conferring the franking privilege on postmasters whose commissions do not exceed two hundred dollars; only letters certified to be on post office business shall be allowed to be sent or received by postmasters, free of postage, and this enforced by proper penalties.

COLLECTION OF POSTAGE ON PRINTED MATTER.

Great losses to the postal revenue arise from the neglect of postmasters to collect the postage, as required by law, on printed matter, both transient and periodical, sent through the mails. It is known to have been left in arrear for years.

The rates on transient printed matter, and on that sent to regular subscribers, are different, being higher on the former.

The evil, it is believed, will be greatly remedied by an enactment providing that each copy of printed matter upon which the postage for at least one quarter shall not have been prepaid, either at the office of mailing or of delivery, shall be rated as transient matter, and the postage thereon collected on the delivery of each copy.

Power should also be given to the department to fine, at the discretion of the Postmaster General, not exceeding the sum of five dollars for each offence, any postmaster who shall deliver, without payment of postage as required by law, any printed matter arriving through the mails at the office of delivery, and to charge the same in his account, to be deducted from his commissions. It is believed that by these two provisions a large amount of revenue, now lost, will be saved to the department.

NAVAL LETTERS.

It is suggested for the consideration of Congress whether the privilege, by the act of the late session, conferred upon soldiers, to send letters without prepayment of postage, should not be extended to sailors and marines in the actual service of the United States, under such regulations as the department shall provide.

MAIL CARRIER'S FEE.

By the act approved March 3, 1825, (section 20,) it is provided that a mail-carrier shall receive and deliver for mailing at the next office any letter delivered to him for that purpose more than a mile from such office. He is entitled for such carriage to demand and receive one cent from the postmaster for this service. Under the prepayment system now adopted, this provision should be amended so as to allow him to demand this fee of the writer, in money, and of the postmaster only when the letter shall bear a prepaid stamp for one cent additional to the postage.

NEWSPAPERS.

By the existing law, (section 16 of act approved March 3, 1845,) ''newspapers'' are declared to embrace printed matter issued by numbers, and published monthly, and are entitled to the same privilege of free exchanges and low rates of postage as daily and weekly newspapers enjoy. It is ascertained that this classification is abused by the publication of monthly issues of printed matter chiefly designed as an advertising circular, or to procure free exchanges for the proprietor, and they are often sent gratuitously.

I recommend that the definition of a newspaper, as given by that act, be amended by substituting the words, *published at short stated intervals of not more than one week*, for the words, ''published at short stated intervals of not more than one month.'' Also, that the privilege of free exchange of publications be limited to newspapers as thus defined, and literary, educational, or religious periodicals, published not less frequently than once a month.

It is found that considerable frauds are perpetrated upon the revenues of the department by publishers of newspapers, who include, mingled with the packages sent to their regular subscribers, numbers of their issues which are not sent to their regular subscribers, and which are, therefore, subject to postage as transient matter.

To remedy this evil, I recommend that discretion be given to the head of this department to exclude, temporarily, from the mails any newspaper or periodical whose proprietors or agents shall send any of their issues without prepayment of postage to other than *bona fide* subscribers; or, otherwise, that an express penalty be imposed for such act.

CONGRESSIONAL POST ROUTES.

It is frequently found expedient, in connexion with the progress of railroad communications or changes of principal transportation routes, to change the termini of congressional mail-routes intersecting them.

I suggest, for the consideration of Congress, the propriety of expressly authorizing this department to change the termini and lines of congressional mail-routes, intersecting principal routes on which the mails are carried daily, whenever the postal service can be thereby improved.

ADDITIONAL MAILABLE MATTER.

The 12th section of the act of 1861 declares sundry additions to matter which may be sent through the mails. Various applications have been made to include other like matter, not expressly named therein, as mailable matter.

It is suggested whether it would not be expedient to invest the department with the discretion to allow such other matter to be transmitted through the mails, at corresponding rates of postage, as the Postmaster General shall by order designate and allow. The public convenience and the revenues of the department would derive benefit from such discretionary power.

CARRIER'S FEE.

I renew the recommendation of my predecessor, that power be given to the department to regulate the carrier's fee, not exceeding the amount of two cents for the delivery of each letter. It cannot be sustained in some of the cities and districts without an increased rate. So long as it is discretionary with the party addressed to employ the services of the carrier or not, no just reason is perceived why the former discretion should not be given for the purpose of facilitating so important a branch of the postal service.

BRANCH OFFICES.

Requests have been made from several cities for the establishment of branch offices for the receipt and delivery of letters auxiliary to the city post office. I have been unwilling to establish them without some provision being made to meet the additional expense, for which the same fee allowed to carriers, one cent, would be sufficient. By the law authorizing their establishment (1847, chapter 63, §10) no charge is permitted for this additional service. I respectfully suggest, for the consideration of Congress, the propriety of amending that law and of granting this authority; and also of investing this department with the authority to erect in any city box-pillars for the receipt of letters to be mailed, to be thence collected by carriers, for which the fee of one cent each letter shall be prepaid by stamps.

CODIFICATION OF POSTAL LAWS.

A revised code of the postal laws, bringing together in proper arrangement the various statutes now gathered only by the examination of the legislation of many years, would greatly facilitate the performance of their duties by the numerous officers and agents attached to this department. This subject is respectfully commended to the attention of Congress.

RAILROAD SERVICE.

In the last annual report of my predecessor mention is made of the refusal or neglect of a large number of railroad companies engaged in the conveyance of mails to execute the contracts required by law of all contractors for the performance of their duties. This abuse continues. When a railroad is constructed through a district of country, competition in the conveyance of passengers, mails and merchandise, ceases on the route. Demand is immediately made for the mails, and without reference to the importance of the offices to be supplied, at a compensation much above that previously paid for coach and horse service. Increased speed is the only advantage which the service gains, although with respect to private business this is invariably accompanied with a great reduction of cost. The subject demands attention from Congress, and that measures be adopted to enable the government to contract on fair terms with these companies. The existing rates of compensation are in my judgment too high, and even at such rates the government is at the mercy of the companies. The government has the power to compel them to carry the mails at fair rates, as it has the right to the use of all private property necessary for its purposes, upon making just compensation; and provision should be made to resort to this power when fair arrangements cannot be made by way of contract. This would enable the department to deal with the companies on equal terms.

CHANGE OF CONTRACTS FOR DISLOYALTY.

Soon after the commencement of my term of office the country felt the shock of internecine arms. In view of the great crime attempted against the existence of the nation, it became the duty of this, in common with the other departments of the government, to put forth all its energies to prevent the consummation of that crime. By the existing laws all postmasters and mail-carriers, and all other persons engaged in handling the mails of the United States, or in clerical service, were required to take the usual oath of allegiance to this government, as well as for the faithful performance of their duties. Whenever it was made apparent by their declarations, or by their conduct, that there was a practical repudiation of the obligation of this oath, whether the party was a postmaster or a postal contractor, I ordered a removal from office in the one case and the deprivation of contract in the other. Not only was it unsafe to intrust the transportation of the mails to a person who refused or failed to recognize the sanctions of an oath, but to continue payment of public money to the enemies of the government and their allies, was to give direct aid and comfort to treason in arms. I could not thus permit this branch of government to contribute to its own overthrow. No other course could have reasonably been expected by such contractors. The *bona fide* observance of that oath, and the duty of allegiance itself, entered into and became a condition, a part of the consideration, of the contract itself. This failing, the department was equitably and legally discharged from its literal obligations. Protection on the part of government, and allegiance on the part of the citizen, are correlative, and are conditions mutually dependent in every contract, and the highest public interest demanded the rigid enforcement of this rule of action. Occasional local and transient inconvenience resulted of necessity, but far less than would reasonably have been expected. Loyal men, everywhere, sustained this action, and speedily furnished the requisite means for continuing the service without increased expense. These changes were mainly called for in parts of Virginia and Maryland, and in Kentucky and Missouri.

In the same, and in neighboring districts, the duties of the appointment office have been very onerous, from the great number of changes required in post offices, according to changing phases of public sentiment, individual action, and military occupancy. It is believed that these positions, with rare exceptions, are now held by men of unquestioned loyalty. Where such men could not be found, the offices have been discontinued rather than they should be held by repudiators of public faith, and used for purposes hostile to the perpetuity of our national institutions.

DISLOYAL PUBLICATIONS EXCLUDED FROM THE MAILS.

This department was also called upon to act upon another question, alike novel and important. Various newspapers, having more or less influence within the sphere of their circulation, were represented to be, and were in fact, devoting their columns to the furtherance of the schemes of our national enemies. These efforts were persistently directed to the advancement of hostile interests, to thwart the efforts made to preserve the integrity of the Union, and to accomplish the results of open treason without incurring its judicial penalties. To await the results of slow judicial prosecution was to allow crime to be consummated, with the expectation of subsequent punishment, instead of preventing its accomplishment by prompt and direct interference.

The freedom of the press is secured by a high constitutional sanction. But it is freedom and not license that is guaranteed. It is to be used only for lawful purposes. It cannot aim blows at the existence of the government, the Constitution, and the Union, and at the same time claim its protection. As well could the assassin strike his blow at human life, at the same time claiming that his victim should not commit a breach of the peace by a counter blow. While, therefore, this department neither enjoyed nor claimed the power to suppress such treasonable publications, but left them free to publish what they pleased, it could not be called upon to give them circulation. It could not and would not interfere with the freedom secured by law, but it could and did obstruct the dissemination of that license which was without the pale of the Constitution and law. The mails established by the United States government could not, upon any known principle of law or public right, be used for its destruction. As well could the common carrier be legally required to transport a machine designed for the destruction of the vehicle conveying it, or an inkeeper be compelled to entertain a traveller whom he knew to be intending to commit a robbery in his house.

I find these views supported by the high authority of the late Justice Story, of the Supreme Court of the United States. He says, in commenting on that clause of the Constitution securing the freedom of the press :

"That this amendment was intended to secure to every citizen an absolute right to speak or write or print whatsoever he might please, without any responsibility, public or private therefor, is a supposition too wild to be indulged in by any rational man. This would be to allow to every citizen the right to destroy at his pleasure the reputation, the peace, the property, and even the personal safety, of every other citizen. A man might, out of mere malice or revenge, accuse another of the most infamous crimes; might excite against him the indignation of all his fellow citizens by the most atrocious calumnies; might disturb, nay, overturn all his domestic peace, and embitter his parental affections; might inflict the most distressing punishments upon the weak, the timid, and the innocent; might prejudice all a man's civil and political and private rights; and might stir up sedition, rebellion, and treason, even against the government itself, in the wantonness of his passions, or the corruption of his heart. Civil society could not go on under such circumstances. Men would then be obliged to resort to private vengeance to make up the deficiency of the law; and assassinations and savage cruelties would be perpetrated with all the frequency belonging to barbarous and cruel communities. It is plain, then, that the language of this amendment imports no more than that every man has a right to speak, write, and print his opinions upon any subject whatever, without any prior restraint, so always that he does not injure any other person in his rights, person, property, or reputation ; *and so always that he does not thereby disturb the public peace, or attempt to subvert the government.*"

Of the cases presented for my action, upon the principles above named; I have, by order, excluded from the mails twelve of these treasonable publications, of which several had been previously presented by the grand jury as incendiary and hostile to constitutional authority.

I have the honor to be, &c., &c., your obedient servant,

M. BLAIR, *Postmaster General.*

To the PRESIDENT *of the United States.*

AUDITOR'S REPORT.

Office of the Auditor of the Treasury
for the Post Office Department,
November 21, 1861.

Sir: I have the honor to submit the following report of the financial affairs of the Post Office Department, and of the operations of this bureau, for the fiscal year ending June 30, 1861, as exhibited by the books and accounts of this office:

The subjoined tabular statements exhibit in detail the nature and extent of the receipts and expenditures of the department, and the results of our postal intercourse with foreign nations.

The tabular statement numbered 1 exhibits the receipts of the department under their several heads.

That numbered 2 exhibits the expenditures under their several heads.

That numbered 3 exhibits the postal receipts and expenditures in the several States and Territories.

That numbered 4 exhibits the postal receipts and expenditures in the rebellious States.

That numbered 5 shows the number of letters, circulars, newspapers, and pamphlets, received and delivered by carriers, and the amount received and paid out for carriage, in the cities named therein.

That numbered 6 shows the amount of letter postage on British mails received in and sent from the United States.

That numbered 7 shows the amount of letter postage on Prussian mails received in and sent from the United States.

That numbered 8 shows the amount of letter postage on French mails received in and sent from the United States.

That numbered 9 shows the amount of letter postage on Belgian mails received in and sent from the United States.

That numbered 10 shows the amount of letter postage on Bremen mails received in and sent from the United States.

That numbered 11 shows the amount of letter postage on Hamburg mails received in and sent from the United States.

That numbered 12 shows the number of letters and newspapers exchanged between the United States and the United Kingdon in British mails.

That numbered 13 shows the number of letters and newspapers exchanged between the United States and the Kingdom of Prussia in closed mails.

That numbered 14 shows the number of letters and newspapers exchanged between the United States and France

That numbered 15 shows the number of letters and newspapers exchanged between the United States and Belgium.

That numbered 16 shows the number of letters and newspapers exchanged between the United States and Bremen.

That numbered 17 shows the number of letters and newspapers exchanged between the United States and Hamburg.

That numbered 18 exhibits the revenue to the United States, also to the United States Post Office Department, by Cunard line.

That numbered 19 exhibits the closed mail account.

That numbered 20 exhibits the receipts and disbursements in closed mails between the United States and Prussia.

That numbered 21 exhibits a statement of letters and newspapers, with the several postages, conveyed by various lines of ocean steamers.

That numbered 22 exhibits the amount of postages on mails exchanged between the United States and the British Provinces.

That numbered 23 exhibits the postal account of the United Kingdom of Great Britain and Ireland with the United States.

That numbered 24 exhibits the account of the Kingdom of Prussia with the United States.

That numbered 25 exhibits the account of the General Post Office of Belgium with the United States.

That numbered 26 exhibits the account of the General Post Office of France with the United States.

That numbered 27 exhibits the account of the Post Office of Bremen with the United States.

That numbered 28 exhibits the account of the Post Office of Hamburg with the United States.

Statements are likewise appended exhibiting the postal balances due to foreign governments; also statements showing the amounts due to the various lines of ocean steamers, for sea and inland postages.

Revenue account of the Post Office Department.

The balance standing on the books of this office to the credit of the revenue account of the Post Office Department on the 30th of June, 1860, was	$1,211,860 1
The receipts of the department for the fiscal year ending June 30, 1861, as presented in the tabular statement herewith, numbered 1, were	8,349,296 40
The amounts placed in the treasury for the service of the department for the fiscal year, being "grants" in aid of the revenue, under the following acts of Congress, were as follows, to wit:	
Under the 12th section of the act entitled "An act to establish certain post routes, and for other purposes," approved March 3, 1847.—(9 Statutes at Large, 201)	200,000 00
Under the 8th section of the act entitled "An act to reduce and modify the rates of postage in the United States, and for other purposes," approved March 3, 1851.—(9 Statutes at Large, 591)	250,000 00
Under the 5th section of the act entitled "An act making appropriations for the transportation of the United States mail by ocean steamers, and otherwise, during the fiscal year ending the thirtieth of June, eighteen hundred and fifty-nine," approved June 14, 1858.—(11 Statutes at Large, 365)	331,240 86
Under the 3d section of an act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one," approved June 15, 1860.—(Public Laws, 1st session 36th Congress, 39)	3,481,062 39
Under the act entitled "An act for the relief of the California Stage Company," approved June 22, 1860.—(Private Laws, 1st session 36th Congress, 35)	20,417 33
Under the act entitled "An act to supply deficiencies in the appropriations for the service of the fiscal year ending June thirty, eighteen hundred and sixty-one," approved February 19, 1861.—(Public Laws, 2d session 36th Congress, 133)	115,325 84

Under the act entitled "An act for the relief of Samuel S. Green," approved February 23, 1861.—(Private Laws, 2d session 36th Congress, 53)		$12,443 83
Under the 6th section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two," approved March 2, 1861.—(Public Laws, 2d session 36 Congress, 205)		235,504 15
Total amount of "grants" drawn from the treasury		4,645,994 40
Aggregate of revenue and "grants"		14,207,150 97
The expenditures of the department for the fiscal year ending June 30, 1861, together with the arrearages of the previous years paid during the year 1861, as shown in the statement herewith, numbered 2, were	$13,606,759 11	
Add amount of accounts closed by being charged to "bad debt account"	407 17	
	13,607,166 28	
Deduct balance on credit accounts carried to the nominal account of "suspense"	5,902 90	
		13.601,263 38
Leaving to the credit of the revenue account on the 1st July, 1861, the sum of		605,887 59
The excess of expenditures of all kinds over the revenue of the year, inclusive of the receipts and payments for foreign postages, and exclusive of the amount to the credit of the department on the 1st of July, 1860, and of the sums appropriated by the several acts of Congress out of the general revenues of the United States, was		5,251.966 98

The net revenue of the department from postages, being the aggregate amount of the balances due to the United States by postmasters, on the adjustment of their quarterly accounts for the year, after retaining their compensation, and deducting the expenses of their offices, was:

For the quarter ending September 30, 1860	$1,195,607 68
For the quarter ending December 31, 1860	1,173,706 08
For the quarter ending March 31, 1861	1,188,032 89
For the quarter ending June 30, 1861	1,008,267 60
Total net revenue from postages	4,565,614 45

The amount of letter postage paid in money, was:

For the quarter ending September 30, 1860	159,182 10
For the quarter ending December 31, 1860	151,800 58
For the quarter ending March 31, 1861	179,512 77
For the quarter ending June 30, 1861	156,002 69
Total	646,498 14

The number of quarterly returns of postmasters, received and audited during the year, and on which the sum of $4,565,614 45 was found due to the United States, was:

For the quarter ending September 30, 1860	27,109
For the quarter ending December 31, 1860	27,568
For the quarter ending March 31, 1861	27,521
For the quarter ending June 30, 1861	22,868
Total number	105,066

The gross amount collected as registration fees on valuable letters, was:

For the quarter ending September 30, 1860	$5,320 45
For the quarter ending December 31, 1860	5,630 81
For the quarter ending March 31, 1861	5,009 90
For the quarter ending June 30, 1861	3,345 10
Total	19,306 26

The total amount of postage stamps and stamped envelopes sold during the year, was	6,864,791 43
The amount used in the prepayment of postage, and cancelled, was	6,459,622 05
Leaving in the possession of the purchasers	405,169 38

Contractors' accounts.

The average number of accounts of contractors and others engaged in carrying the mails, settled in each quarter of the year, was:

On regular mail routes	5,329
On special mail routes	2,907
Of route and express agents	608
Of mail messengers and local agents	1,872
Total number of accounts	10,716
Aggregate of settlements of such accounts during the year	42,864

Mail transportation account.

The amount charged to "accrued transportation," and placed to the credit of mail contractors, and others, for mail transportation during the year, was:

For regular service on mail lines	$8,269,732 67
For supply of "special offices"	269,268 13
For salaries of "route agents"	342,775 62
	8,881,776 42

And for foreign mail transportation:

For New York, Southampton, and Havre mails	266,549 05
For mails across the Isthmus of Panama	25,000 00
For New York and New Orleans mails	4,803 23
For Liverpool, New York, and Philadelphia mails	44,733 31

For New York and Havana mails		$37,597 64
For New Orleans and Havana mails		10,422 27
For Portland and Liverpool mails		76,418 52
For New York and San Francisco mails		299,239 99
For expenses of government mail agent at Panama		1,857 36
		9,648,397 79
The amount credited to "accrued transportation," and charged to contractors for over-credits, damages, &c., was	$33,110 35	
Of "fines" imposed upon contractors	6,365 83	
Of "deductions" from their pay	28,631 55	
		68,107 73
Net amount to the credit of mail contractors and others		9,580,290 06
The amount actually paid and credited during the year for mail transportation was		9,173,273 88
Of which sum there was paid for mail transportation of previous years		14,768 63

Collection of Post Office revenues.

The number of post offices in operation during the year was 28,586, which are thus classified under the regulations adopted for the government of the department, chapter 26, sections 286 to 289, pages 107 and 108:

The following named offices—thirty in number—are denominated "depositories," and are required by the Postmaster General to receive and retain, subject to the drafts of the department, the funds of certain adjacent offices, as well as the revenues of their own:

Albany, N. Y.
Baltimore, Md.
Bangor, Me.
Batavia, N. Y.
Buffalo, N. Y.
Chicago, Ill.
Cincinnati, Ohio.
Cleveland, Ohio.
Columbus, Ohio.
Detroit, Mich.
Geneva, N. Y.
Harrisburg, Pa.
Hartford, Ct.
Lexington, Ky.
Louisville, Ky.
Mobile, Ala.
Nashville, Tenn.
New Haven, Ct.
Pittsburg, Pa.
Portland, Me.
Providence, R. I.
Richmond, Va.
Rochester, N. Y.
Savannah, Ga.
Steubenville, Ohio.
Syracuse, N. Y.
Uniontown, Pa.
Utica, N. Y.
Wheeling, Va.
Worcester, Mass.

693 are "draft offices," and, together with the foregoing offices, paid during the year 13,460 drafts, issued by the Postmaster General and countersigned, entered, and sent out by the Auditor, for sums amounting in the aggregate to	$1,360,690 35
987 are "deposit offices," and during the year deposited with the Treasurer and the assistant treasurers of the United States the sum of	1,517,924 12
In addition to which, they deposited with the 30 "depositories" named above $200,398 98, which is embraced in the sum of $1,360,690 35 paid on the drafts of the department by the said "depositories" and "draft offices."	
22,097 are "collection offices," and paid on "collection orders" issued to mail contractors	1,247,998 53

4,779 are "special" and "mail messenger" offices, and derived their mail supplies by the payment of the revenues of their offices, amounting to.................................. $269,268 13

Showing the amount paid into the treasury, "for the use and purposes of the Post Office Department," by postmasters, to have been.................................. 4,395,881 13

Revenue and balances uncollected.

For the fiscal year ending June 30—	Gross revenue.	Amounts still due to the United States not in suit.	Amounts still due to the United States in suit.
1846	$3, 487, 199 35	$5 32	$3, 025 77
1847	3, 945, 892 98	116 08	728 06
1848	3, 371, 077 00	6 15	802 16
1849	4, 705, 176 28	33 57	1, 833 37
1850	5, 499, 984 86	124 58	1, 071 47
1851	6, 410, 604 33	483 91	2, 599 71
1852	5, 184, 526 84	784 40	2, 829 73
1853	5, 240, 724 70	12, 631 77	41, 816 27
1854	6, 255, 586 22	12, 400 51	12, 196 34
1855	6, 642, 136 13	6, 566 17	7, 491 33
1856	6, 920, 821 66	2, 761 00	14, 522 00
1857	7, 353, 951 76	16, 298 55	10, 041 76
1858	7, 486, 792 86	15, 759 69	19, 003 71
1859	7, 968, 484 07	15, 883 75	25, 600 55
1860	8, 518, 067 40	67, 225 00	195, 411 74
1861	8, 349, 296 40	395, 522 25	32, 853 43
Total	97, 340, 322 84	546, 602 70	371, 827 40

Total due the United States by late postmasters, to June 30, 1860.. $490,054 42
Amount due for the last fiscal year.................................. 428,375 68

Total amount.................................. 918,430 10

NOTE.—In the sum of $181,544 75, stated in the last annual report of this office as the "amount still due to the United States, and *in suit*," for the fiscal year ending June 30, 1860, is embraced the balance of $170,947 67, due from Isaac V. Fowler, late defaulting postmaster at New York. It is proper to state that no suit has been instituted by *this office* for the recovery of said balance, the late Solicitor of the Treasury having, on the 12th day of May, 1860, proceeded with a view of collecting the same, by distress warrant, under the act of May 15, 1820, entitled "An act for the better organization of the Treasury Department."

Collections.

The "collecting division" of this office had charge of the following number of accounts during the fiscal year:

Of postmasters	28,586
Of late postmasters, whose terms of office expired between the 1st of July, 1845, and June 30, 1860	21,406
Of late postmasters of the last fiscal year	9,677
Total number	59,669

The number of changes of postmasters reported by the appointment office of the Post Office Department, during the year, requiring the final adjustment of their respective accounts, was 9,677; and the balances ascertained to be due to the United States thereon amounted to		$675,947 98
Of which sum there was collected	$247,121 34	
Credited on vouchers	235 31	
Charged to "suspense" account	215 65	
		247,572 30
Amount remaining for collection		428,375 68
Of which sum there is in suit		$32,853 43
Amount due and not in suit		395,522 25
		428,375 68

The balances due to the United States by late postmasters whose terms of office expired between the 1st of July, 1845, and 30th June, 1860, uncollected and *not in suit* July 1, 1860, as stated in the last annual report of this office, was		$235,190 00
Which was increased by "estimated postages"		7,436 59
Total for collection during the fiscal year ending June 30, 1861		242,626 59
Of which sum there was collected	$40,834 15	
Credited on vouchers	50,502 18	
Closed by "suspense" account	179 69	
		91,516 02
Amount uncollected, June 30, 1861		151,110 57
Of which there has been placed in suit		19,527 09
Amount due and not in suit		131,583 48

Suits.

The amount due by late postmasters, whose terms of office expired between the 1st of July, 1845, and June 30, 1860, for the collection of which suits were instituted prior to June 30, 1860, as stated in the last annual report of this office, was	$158,201 32

Add amount of 145 new cases commenced during the last fiscal year, for the collection of balances due on accounts prior to June 30, 1860	$19,527 09
Add, also, amount of 23 new cases on account of the last fiscal year	33,627 08
Amount in suit during the year	211,355 49
Amount collected during the year	9,279 57
Leaving still due, June 30, 1861	202,075 92

Of the said sum of $202,075 92 there is due by late postmasters in California, on accounts prior to June 30, 1857, the sum of $64,315 94, which, as is alleged in the last annual report of this office, may be regarded as lost to the United States, the defendants being insolvent.

In sixty-two of the suits instituted during the year judgments have been recovered in favor of the United States; thirty-three of them have been concluded, and this sum paid into the treasury.	$4,475 46
The amount collected during the year on seventeen accounts, for the collection of which suit was commenced prior to June 30, 1860, was	4,804 11
Total	9,279 57

Summary of debts and collections.

The aggregate amount due the United States on the 30th June, 1860, by late postmasters, whose terms of office expired between July 1, 1845, and June 30, 1860, was		$565,587 54
Add amount due by late postmasters of the last fiscal year		675,947 98
Increased by "estimated postages," penalties, and other charges		27,901 00
Total for collection during the year		1,269,436 52
The amount collected and credited on accounts prior to June 30, 1860, was	$96,379 22	
On accounts of the past year	254,627 20	
Total of collections and credits		351,006 42
Amount remaining due to the United States June 30, 1861		918,430 10
Of this sum there is in suit		371,827 40
And not in suit		546,602 70
		918,430 10

The above sum of $371,827 40, alleged to be in suit, includes the balance of $170,947 67 due from Isaac V. Fowler, late postmaster at New York, referred to in a former part of this report, as well as very large sums due by late postmasters at New Orleans, Louisiana, a late postmaster at Mobile, Alabama, and divers other late postmasters at offices in the rebellious States.

Balances due to late postmasters.

Balances apparently due to late postmasters between the 1st of July, 1845, and June 30, 1858, as stated in the last annual report of this office		$218,842 13
Which has been increased by the allowance of additional vouchers		6,303 22
Add amount due to late postmasters of the last fiscal year	$78,986 25	
Increased by allowance of additional vouchers	2,227 01	
		81,213 26
Total amount of balances due to late postmasters		306,358 61
Amount paid or closed by adjustment during the year of balances due prior to June 30, 1860	24,157 25	
Amount paid on accounts of the last fiscal year	4,972 29	
Amount paid or closed during the year		29,129 54
Amount apparently due to late postmasters July 1, 1861		277,229 07

A surplus of emoluments and commissions accrued at the following post offices, after deducting the maximum compensation of $2,000 *per annum of the postmasters, and the necessary incidental expenses of the offices, during the fiscal year ending June* 30, 1861, *viz:*

Augusta, Ga	$237 71	Dubuque, Iowa	$79 59
Alexandria, Va	177 59	Des Moines, Iowa	14 21
Albany, N. Y	2,210 66	Erie, Pa	100 47
Austin, Texas	27 85	Evansville, Ind	135 82
Augusta, Maine	37 55	Fort Wayne, Ind	244 63
Alexandria, La	76 15	Frankfort, Ky	41 66
Alton, Ill	333 94	Frederick, Md	83 69
Ann Arbor, Mich	11 07	Galveston, Texas	806 79
Baltimore, Md	36 69	Grand Rapids, Mich	35 40
Boston, Mass	14,300 93	Hartford, Conn	343 03
Brooklyn, N. Y	2,042 31	Harrisburg, Pa	1,587 67
Buffalo, N. Y	3,594 99	Hudson, N. Y	87 42
Bridgeport, Conn	4 19	Hagerstown, Md	121 29
Bath, Maine	85 91	Indianapolis, Ind	2,257 87
Binghampton, N. Y	41 01	Jersey City, N. J	950 11
Bloomington, Ill	1 19	Jefferson City, Mo	614 16
Columbus, Ga	4 75	Keokuk, Iowa	86 42
Cleveland, Ohio	2,912 43	Kensington, Pa	139 41
Columbus, Ohio	61 98	Kalamazoo, Mich	235 47
Chicago, Ill	8,043 04	Louisville, Ky	3,908 78
Charleston, S. C	845 22	Lowell, Mass	99 20
Cincinnati, Ohio	8,339 11	Lewistown, Maine	43 55
Cairo, Ill	287 71	Lancaster, Pa	61 13
Calais, Maine	37 71	Lockport, N. Y	49 29
Covington, Ky	147 97	Lynchburg, Va	29 00
Cambridge, Mass	4 66	Montgomery, Ala	1,625 99
Chambersburg, Pa	34 65	Mobile, Ala	56 64
Detroit, Mich	7,793 57	Macon, Ga	424 56
Dayton, Ohio	369 00	Memphis, Tenn	2,011 59

Milwaukie, Wis	$821 71	Savannah, Ga	$811 27
Manchester, N. H	148 63	St. Louis, Mo	16,162 37
Madison, Wis	823 49	Syracuse, N. Y	160 99
Middletown, Conn	2 69	Salem, Mass	15 01
New Bedford, Mass	328 45	Springfield, Mass	601 67
Newark, N. J	748 31	Springfield, Ill	985 70
Nashville, Tenn	1,688 67	San Francisco, Cal	9,137 27
New York, N. Y	89,469 03	Saratoga Springs, N. Y.	4 64
Norfolk, Va	41 61	Sandusky, Ohio	12 72
New Orleans, La	5,960 33	Schenectady, N. Y	97 96
Norwich, Conn	47 15	St. Joseph, Mo	582 10
Newbury, N. Y	421 84	Selma, Ala	13 57
Nashua, N H	191 80	San Antonio, Texas	119 94
New Brunswick, N. J	63 43	Toledo, Ohio	3,009 11
New Haven, Conn	1,230 58	Troy, N. Y	75 36
Oswego, N. Y	226 16	Trenton, N. J	163 48
Ottawa, Ill	44 56	Terre Haute, Ind	137 20
Old Point Comfort, Va.	128 38	Utica, N. Y	295 93
Portland, Me	1,371 57	Vicksburg, Miss	128 05
Philadelphia, Pa	11,069 26	Washington, D. C	5,111 29
Petersburg, Va	496 87	Worcester, Mass	773 33
Providence, R. I	601 63	Wilmington, Del	14,016 78
Pittsburg, Pa	2,753 12	Wilmington, N. C	59 08
Poughkeepsie, N. Y	306 10	Williamsburg, N. Y	655 49
Pottsville, Pa	61 03	Watertown, N. Y	2 32
Patterson, N. J	21 97	White Horse, N. J	138 63
Richmond, Va	2,156 04	Zanesville, Ohio	198 39
Rochester, N. Y	875 91		
Raleigh, N. C	386 93	Total	244,404 20
Rome, N. Y	11 01		
Richmond, Ind	59 91		

Summary of principal labors.

The following brief summary indicates, partially, the chief labors performed by the office during the last fiscal year:

The number of quarterly accounts adjusted, audited, and registered, was	105,066
The number of accounts of mail contractors audited and reported for payment	21,316
The number of accounts of special and route agents audited and reported for payment	2,432
The number of accounts of special contractors and mail messengers audited and reported for payment	19,116
The number of miscellaneous accounts audited and reported for payment	684
The number of suits commenced	168
The number of accounts of United States' attorneys and marshals, and of clerks of United States courts, adjusted and reported for payment	121
The number of collection orders issued to contractors	83,551
The number of collection drafts issued	4,526
The number of department drafts registered	13,460
The number of department warrants registered	8,517
The number of letters received	135,372

The number of letters prepared, recorded, and mailed............	68,464
The number of folio-post pages of correspondence recorded, in the miscellaneous letter book..................	964
The number of pages recorded in the collection letter book.......	2,401
The number of pages recorded in the suit letter book............	205
The number of pages recorded in the report letter book..........	133
The number of accounts on the ledgers.........................	85,328
The number of corrected quarterly accounts of postmasters copied, restated, and mailed.................................	18,216

In addition to the foregoing, the compilation of that portion of the "Biennial Register" that pertains to the Post Office Department, which constituted nearly three-fourths of the last register, has been completed by this office. Numerous errors have occurred in the matter heretofore furnished by this office for that publication. Great pains have, therefore, been taken to have the material for the forthcoming "Blue Book" accurately compiled. Its preparation has consequently been attended with much labor.

The amount of money collected by this bureau during the last fiscal year, from late postmasters, amounting to $297,235 06, greatly exceeds the sum collected in any previous year since the organization of the office, in 1836.

From the 1st of July last to the 10th instant, 2,673 "collection" drafts have been issued, for balances due by late postmasters of the last fiscal year, amounting, in the aggregate, to $362,646 61, with the most flattering prospects of the speedy collection of the greater portion of that sum.

When I entered upon the discharge of the duties of this bureau, on the 22d of April last, the business of nearly every division was much in arrears. Since then competent and efficient clerks have, by appointment of the Secretary of the Treasury, taken the places of such as had proven to be derelict in duty and unfaithful to the trust committed to them; strict and salutary disciplinary rules and regulations have been adopted and enforced, and the business of the office, I am happy to state, is now in a most prosperous condition.

To the zeal, fidelity, and capacity of the clerical corps now employed in this bureau, I cheerfully acknowledge my indebtedness for the present satisfactory condition of the entire business of the office.

I have the honor to be, very respectfully,

G. ADAMS, *Auditor.*

Hon. M. Blair, *Postmaster General.*

TP.2009.084.01010